

By Mr. STEPHENS of Texas: A bill (H. R. 7819) granting a pension to William T. Edgemon—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 7820) for the relief of John Albright—to the Committee on Military Affairs.

Also, a bill (H. R. 7821) granting an increase of pension to Lovisa M. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7822) granting an increase of pension to G. J. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7823) for relief of James R. Wyrick—to the Committee on War Claims.

Also, a bill (H. R. 7824) granting an increase of pension to Mary E. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7825) granting a pension to John Melvin—to the Committee on Naval Affairs.

By Mr. WALLACE: A bill (H. R. 7826) granting an increase of pension to Wiley H. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7827) granting an increase of pension to James W. Ferrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7828) granting a pension to Eraster Coyle—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 7829) granting a pension to Mrs. T. W. Mittag—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7830) granting a pension to H. F. Jones—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7831) for the relief of Mrs. Susan Davis, of Mississippi—to the Committee on Pensions.

Also, a bill (H. R. 7832) for the relief of the estate of J. J. Galtney, deceased, late Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7833) to carry out the findings of the Court of Claims in the case of the estate of John Willis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7834) for the relief of Robert M. Lay, administrator of Nancy Lay, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7835) for the relief of the legal representatives of Benjamin Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7836) for the relief of R. R. McMullen, administratrix of Thomas J. McMullen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7837) for the relief of Smith Summers, administrator of John Waters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7838) for the relief of the estate of Reuben Millsaps—to the Committee on War Claims.

Also, a bill (H. R. 7839) for the relief of the estate of Dr. J. P. Davis, deceased, late of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7840) for the relief of William D. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 7841) for the relief of John L. McClendon—to the Committee on War Claims.

Also, a bill (H. R. 7842) for the relief of Mrs. M. M. Champion—to the Committee on War Claims.

Also, a bill (H. R. 7843) for the relief of the Methodist Episcopal Church South, of Phoenix, Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7844) for the relief of the estate of Tillman Loggins—to the Committee on War Claims.

Also, a bill (H. R. 7845) for the relief of Mrs. Susan Davis, of Mississippi—to the Committee on Pensions.

Also, a bill (H. R. 7846) for the relief of Caroline V. English—to the Committee on Military Affairs.

Also, a bill (H. R. 7847) for the relief of F. P. Brower—to the Committee on the Post-Office and Post-Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BOUTELL: Paper to accompany bill granting a pension to Francis M. Baker—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: Paper to accompany bill H. R. 6526, granting an increase of pension to Charles Stuart—to the Committee on Invalid Pensions.

By Mr. CROWLEY: Papers to accompany bill for increase of pension to William K. Spencer—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Thomas J. Boring—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 4159, to pension James Morris, and to accompany bill H. R. 3768, to increase pension of Joel D. Baker—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolution of Woodson Post, No. 185, Grand Army of the Republic, of Yates Center, Kans., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of the Association of Commissioners of the Levee Drainage Districts, relating to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. DRISCOLL: Paper to accompany claim of Charles E. Hill—to the Committee on Claims.

By Mr. ESCH: Resolution of the Milwaukee Chamber of Commerce, relating to fractional paper currency—to the Committee on the Post-Office and Post-Roads.

By Mr. GILBERT: Paper to accompany bill granting increase of pension to Samuel McClure—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Robert T. Mattingly—to the Committee on Invalid Pensions.

By Mr. GUDGER: Papers to accompany bill granting a pension to Jasper N. W. Rogers—to the Committee on Invalid Pensions.

Also, petition of citizens of Madison County, N. C., to grant a pension to Stephen Rice—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany bill H. R. 5558, for the relief of William L. Thompson—to the Committee on War Claims.

Also, papers to accompany bill H. R. 5554, for the relief of Columbus N. Brooks—to the Committee on Pensions.

Also, papers to accompany bill H. R. 4925, for the relief of John Boyle—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5550, for the relief of Elihu Millikan—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5555, for the relief of James R. Hauptley—to the Committee on Invalid Pensions.

Also, petition of Henry P. Lay et al. and map to accompany bill to define the head of navigation of Osage River, in the State of Missouri—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: Resolution of Robert Anderson Post, No. 32, Grand Army of the Republic, Department of Nebraska, favoring passage of bill H. R. 4067, providing for service pension—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting a pension to Gideon M. Burriss—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to William Boyd—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of board of directors of the Chamber of Commerce of the city of Milwaukee, Wis., in favor of a fractional postal currency—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Paper to accompany bill to increase pension of Nicholas Carroll—to the Committee on Invalid Pensions.

By Mr. RYAN: Resolution of the Upper Mississippi River Improvement and Levee Drainage Association, favoring erection and maintenance of levees by the Government—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Convention, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Protest of citizens of Portland, Mich., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SNOOK: Paper to accompany bill H. R. 3460, granting an increase of pension to Louis P. Anschutz—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Papers to accompany bill H. R. 1901, to increase pension of Warren F. Barnes—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, December 16, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. ALBERT J. HOPKINS, a Senator from the State of Illinois, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

STATUE OF GENERAL SHERMAN.

The PRESIDENT pro tempore laid before the Senate a communication from Gen. Grenville M. Dodge, president of the Sherman Statue Commission, relative to an appropriation for the improvement of the grounds in the vicinity of the Sherman statue, and that they be known as the "Sherman Plaza;" which, with the

accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF ATTORNEY-GENERAL OF PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, pursuant to law, the annual report of the attorney-general of Porto Rico; which, with the accompanying report, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

REPORT OF BUREAU OF THE AMERICAN REPUBLICS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting the annual report of the Director of the Bureau of the American Republics; which, with the accompanying report, was ordered to lie on the table, and be printed.

GEOLOGICAL SURVEY MAPS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Director of the Geological Survey inviting attention to the advisability of a change in existing law, whereby all moneys received from the sale of maps and folios of his bureau shall be deposited into the Treasury to the credit of the appropriation for engraving the geological maps of the United States, etc.; which, with the accompanying papers, was referred to the Committee on the Geological Survey, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented the petition of E. C. Atkins & Co., of Indianapolis, Ind., praying for the enactment of legislation providing for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the Bethany Presbyterian Church, of Fort Wayne, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PERKINS presented petitions of the Woman's Christian Temperance Union of Riverside; of the Epworth League, the Woman's Christian Temperance Union, and the congregation of the Methodist Episcopal Church, of Green Valley; of the congregations of the Methodist Episcopal and First Baptist churches of Corning; of the congregation of the First Baptist Church of San Bernardino; of the Woman's Christian Temperance Union of Fernando; of the Woman's Club of Palo Alto; of B. F. Fleenor, of Lemon Grove, and of the Woman's Missionary Society of the First Congregational Church of San Diego, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALLEE presented a petition of the congregation of the Methodist Episcopal Church of Harrington, Del., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the State Grange of Delaware, praying that Yan Phon Lee, lecturer of Kent County Pomona Grange, in that State, be granted naturalization as a citizen of the United States; which was referred to the Committee on the Judiciary.

Mr. NELSON presented sundry papers in support of the bill (S. 2085) providing for the erection of a public building at Alexandria, Minn.; which were referred to the Committee on Public Buildings and Grounds.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Keene, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HALE presented petitions of the congregation of the Warren Congregational Church, of Westbrook; of the Young People's Society of Christian Endeavor of Westbrook, and of the Woman's Christian Temperance Union of Westbrook, all in the State of Maine, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PROCTOR presented petitions of the Woman's Christian Temperance Union of St. Johnsbury, of the Woman's Christian Temperance Union and congregation of the Baptist Church of Montgomery Center, and of the congregation of the First Congregational Church of Brattleboro, all in the State of Vermont, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the California Central Coast Counties Improvement Association of San José, Cal., praying for the enactment of legislation providing for the establishment of a Government military training camp on the Nacimiento Rancho, in San Luis Obispo and Monterey Counties, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of San Francisco, Cal., praying that an appropriation be made for the improvement of Siuslaw Harbor; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., praying for the enactment of legislation providing for the construction of the Panama Canal; which was referred to the Committee on Inter-oceanic Canals.

He also presented petitions of the congregation of the Friends Church of Orange County; of the Kingsley Art Club, of Sacramento; of the congregation of the Bethesda Presbyterian Church, of Los Angeles; of the Woman's Christian Temperance Union of Pasadena; of the Woman's Club of Palo Alto; of the Woman's Christian Temperance Union of Olinda; of the congregation of the Methodist Episcopal Church of Olinda; of the Epworth League of Olinda; of the Young Men's Christian Association of Watsonville; of the Purity League of San Diego; of the congregation of the First Methodist Episcopal Church of San Diego; of the congregation of the First Baptist Church of San Diego; of the Woman's Christian Temperance Union of San Diego; of the congregation of the Methodist Episcopal Church of Pacific Beach and Coronado; of the congregation of the Methodist Episcopal Church of La Mesa Springs; of the congregation of the Congregational Church of Pomona; of the congregation of the Baptist Church of Julian; of the congregation of the Congregational Church of Ramona; of the congregation of the Congregational Church of Escondido; of the congregation of the United Presbyterian Church of San Diego, and of the congregation of the First Congregational Church of San Diego, all in the State of California, and of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ANKENY presented a petition of the congregation of the First Presbyterian Church of Waitsburg, Wash., praying that the gates of the St. Louis Exposition be closed on Sundays; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the faculty of Waitsburg Academy, of Waitsburg, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. WETMORE presented petitions of the congregation of the Advent Christian Church, of Providence; of the Woman's Christian Temperance Union of Middletown, and of the Woman's Christian Temperance Union of New Shoreham, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a petition of J. J. Crittenden Post, No. 31, Department of North Dakota, Grand Army of the Republic, of Minnewaukon, N. Dak., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. MCCREARY presented a petition of the Woman's Christian Temperance Union of Ludlow, Ky., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. STONE presented petitions of the Ladies' Missionary Society of Maryville; of the Shakespeare Circle, of Trenton; of the Woman's Christian Temperance Union of King City; of the congregation of the Presbyterian Church of Oregon; of the Woman's Christian Temperance Union of Oregon; of the Woman's Missionary Society of Parkville; of the congregation of the Evangelical Church of Oregon; of sundry citizens of Parkville; of the congregation of the Baptist Church of Hopkins; of the Woman's Missionary Society of Hamilton; of sundry citizens of Hamilton, and of the congregation of the Presbyterian Church of Hamilton, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a memorial of the Progressive League, of Chippewa Falls, Wis., remonstrating against the

enactment of legislation to reduce the tariff on articles imported from Cuba; which was ordered to lie on the table.

Mr. FRYE presented memorials of Logan Stamm, No. 2, Unterstutzungs Verein; Humboldt Lodge, No. 6; Goethe Lodge, No. 7; the German Sunday School Society; Humboldt Lodge, No. 553; Blucher Lodge, No. 76; Eintsoekt Lodge, Germantown Maennerchor; Germania Park Gesellschaft; Wurttemberger Grenadia Lodge; the Employees' Beneficial Society, all of Philadelphia, in the State of Pennsylvania; of South Side Turner, of Fond du Lac; of the Concordia Society of Bangor; of St. Joseph's Society, of Fond du Lac, and of Deutsche Krieger Verein, of Fond du Lac, all of the State of Wisconsin; of the German Benevolent Society, of Springfield, Ohio; of the M. G. Verein Arion, of Bridgeport, Conn.; of the German-American Union of Birmingham, Ala., and of the First German Aid Society, of Pullman, Ala., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Grange No. 322, Patrons of Husbandry, of Vassalboro, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Southwestern Lumbermen's Association, of Kansas City, Mo., remonstrating against the enactment of legislation relative to the use of the mails for certain classes of literature and for contracts of insurance; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont; and

A bill (S. 352) for the relief of the representatives of M. F. Merritt, deceased.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 178) for the relief of the owners of the British ship *Foscolia* and cargo, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 175) for the relief of Robert D. McAfee and John Chiatovich;

A bill (S. 177) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada; and

A bill (S. 334) for the relief of N. F. Palmer, jr., & Co.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1842) to provide for compensation for certain employees of the Treasury, War, and Navy Departments, reported it with an amendment, and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, to whom the subject was referred, reported an amendment proposing to appropriate \$25,000 for the purchase of grounds and building, and repair of the same, for a United States consulate at Chefoo, China, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the message from the President of the United States transmitting the report of the Secretary of State relative to the claims of the Eastern Extension, Australasia and China Telegraph Company, the Cuba Submarine Telegraph Company, and La Compagnie Française des Câbles Télégraphiques, asked to be discharged from its further consideration, and that it be referred to the Committee on the Philippines; which was agreed to.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (S. 421) for the relief of W. J. Kountz, reported it without amendment, and submitted a report thereon.

Mr. KEAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 1585) for the relief of Sadie Thome, reported it without amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Public Lands, to whom was

referred the bill (S. 372) authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers, reported it without amendment, and submitted a report thereon.

Mr. GIBSON, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 121) granting additional lands adjacent to its site to the University of Montana; and

A bill (S. 122) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 903) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins, reported it with amendments.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 371) granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry, reported it without amendment, and submitted a report thereon.

ESTATE OF FELICITE NEDA CHRETIEN.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 909) for the relief of the estate of Felicite Neda Chretien, deceased, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 909) entitled "A bill for the relief of the estate of Felicite Neda Chretien, deceased," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887; and the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 2637) authorizing the appointment of Eugene D. Dimmick, colonel, United States Army, retired, as brigadier-general; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2638) for the relief of William H. Quinn; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 2639) for the relief of the New Hope Madison Church; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2640) for the relief of the Presbyterian Church of Batesville, Miss.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 2641) to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States, and for the construction of a suitable vessel to be used for such purpose by the Navy Department; which was read twice by its title.

Mr. HALE. I ask that the bill be referred to the Committee on Naval Affairs.

The PRESIDENT pro tempore. There is already a bill pending in the Committee on Commerce, on which a report has been drawn, relating to the same subject.

Mr. HALE. Very well; let it go there. I have provided in the bill for a naval vessel, and I thought it should go to the Naval Committee, but there is no conflict between the two committees.

The PRESIDENT pro tempore. If the Senator prefers that the bill shall go to his committee, of course it will be sent there.

Mr. HALE. Perhaps, as it provides for a naval vessel, it should go there, and then on consultation with the Chair we will have one bill reported.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Naval Affairs.

Mr. HALE introduced a bill (S. 2642) granting an increase of pension to Leonard G. Freeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2643) granting an increase of pension to Melinda J. Chapman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 2644) granting a pension to William C. Cox, alias William Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2645) granting an increase of pension to La Roy B. Church; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2646) to correct the military record of Bernhard Franz; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2647) to remove the charge of desertion against Joseph W. Johnson; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURTON introduced a bill (S. 2648) granting an increase of pension to William Hemphill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2649) granting an increase of pension to William S. Burch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 2650) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2651) granting an increase of pension to Augustus J. Norwood; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2652) in relation to bonds on contracts with the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2653) authorizing certain extensions to be made in the lines of the Capital Traction Company, of the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2654) to amend chapter 55 of an act entitled "An act to establish a code of law for the District of Columbia;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. PENROSE introduced a bill (S. 2655) granting an increase of pension to Isaac Zellers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2656) granting an increase of pension to Silas Mosher; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2657) granting an increase of pension to Robert T. Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2658) to provide for the casting in bronze and erection in the city of Washington of the colossal equestrian group known as "The Indian Buffalo Hunt;" which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 2659) for the relief of Frances M. Egan, administratrix of Patrick Egan, deceased, surviving partner of Donnelly & Egan; which was read twice by its title, and referred to the Committee on Claims.

Mr. ANKENY introduced a bill (S. 2660) for the relief of the estate of L. M. Flournoy, deceased; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLEE introduced a bill (S. 2661) granting an increase of pension to John H. Klingler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2662) granting an increase of pension to John H. Carrow; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 2663) granting a pension to Anderson Carpenter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2664) granting an increase of pension to Martin L. Wells; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM (by request) introduced a bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government; which was read twice by its title, and referred to the Committee on Printing.

Mr. TILLMAN introduced a bill (S. 2666) granting a pension to Dora D. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2667) for the relief of the estate of R. W. Bullock, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2668) granting an increase of pension to Alpheus Fawcett;

A bill (S. 2669) granting an increase of pension to Willis W. Dawson (with an accompanying paper);

A bill (S. 2670) granting an increase of pension to Samuel R. Glenn (with an accompanying paper);

A bill (S. 2671) granting a pension to Alfred Cunningham (with an accompanying paper);

A bill (S. 2672) granting an increase of pension to Harriet D. Cotton (with an accompanying paper);

A bill (S. 2673) granting an increase of pension to James B. White (with an accompanying paper);

A bill (S. 2674) granting a pension to Ellen Orr (with accompanying papers);

A bill (S. 2675) granting a pension to Emma W. Stafford (with an accompanying paper);

A bill (S. 2676) granting an increase of pension to Louisa J. Gelvin (with an accompanying paper);

A bill (S. 2677) granting a pension to Isaac W. Best; and

A bill (S. 2678) granting an increase of pension to William A. Mathes (with accompanying papers).

Mr. BEVERIDGE introduced a bill (S. 2679) for the relief of Lemuel Stokes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2680) for the relief of William Taylor; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2681) to reimburse Allen W. Phillips for moneys paid for a substitute in the military service;

A bill (S. 2682) to correct the military record of Jacob L. Stough; and

A bill (S. 2683) to correct the military record of James Hennessy.

Mr. NELSON introduced a bill (S. 2684) to grant to the State of Minnesota certain public lands for forestry purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2685) to amend an act entitled "An act authorizing the construction of additional light-house districts," approved July 26, 1886; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2686) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2687) for the relief of Edwin Bell; which was read twice by its title, and referred to the Committee on Patents.

He also (for Mr. KITTREDGE) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2688) granting an increase of pension to George M. Linch;

A bill (S. 2689) granting an increase of pension to David M. Kanouse; and

A bill (S. 2690) granting an increase of pension to James Gary (with accompanying papers).

Mr. PERKINS introduced a bill (S. 2691) to increase the number of light-house districts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2692) to establish a life-saving station at Cape Nome, Alaska; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLAPP introduced a bill (S. 2693) fixing the status of the Porto Rico Regiment of Infantry of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2694) granting a pension to Ernestine Lavigne; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2695) granting an increase of pension to Maria L. Roberts; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of \$241.60, and so forth; which was read twice by its title, and referred to the Committee on Claims.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. CARMACK. I offer a resolution which I ask to have read for information.

The resolution was read, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, is hereby instructed to direct the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department, and said committee shall make further inquiry into the administration and expenditures of the said Department, and make report thereon to the Senate upon completion of said investigation on or before the 1st day of May, 1904.

Resolved, That said committee shall have power to send for persons, books, and papers; examine witnesses under oath, and sit, by subcommittee or otherwise, during the sessions of the Senate at such times and places as the committee may determine.

Mr. PLATT of Connecticut. Who introduced the resolution? The PRESIDENT pro tempore. The Senator from Tennessee [Mr. CARMACK].

Mr. GALLINGER. Has it gone to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. Let it go over.

Mr. CARMACK. Let it go over.

The PRESIDENT pro tempore. It will go over anyway under the general understanding that all resolutions shall go over until to-morrow morning.

Mr. GALLINGER. I will ask if, under the law, it does not go to the Committee to Audit and Control the Contingent Expenses of the Senate?

The PRESIDENT pro tempore. It does not provide for an appropriation from the contingent fund of the Senate.

Mr. ALDRICH. It involves it.

The PRESIDENT pro tempore. It involves it.

Mr. GALLINGER. Yes; it involves it, and I think that is equivalent to providing for it.

EMPLOYMENT OF STENOGRAPHER.

Mr. FORAKER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate, That the Committee on Pacific Islands and Porto Rico be authorized to employ a stenographer from time to time, as may be necessary, to report such testimony as may be taken by said committee and its subcommittees in connection with subjects considered or to be considered during the Fifty-eighth Congress, such stenographer to be paid from the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; in which it requested the concurrence of the Senate.

PAY OF EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; which was read the first time by its title.

Mr. ALLISON. This is the usual joint resolution passed before a recess of the two Houses. I ask that it may be taken up for consideration at this time. It will take but a moment.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1903, on the 18th day of said month.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the Cuban bill, so called.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

[Mr. SPOONER addressed the Senate. See Appendix.]

Mr. BAILEY obtained the floor.

Mr. HOAR. Mr. President—

Mr. BAILEY. I yield to the Senator from Massachusetts.

Mr. HOAR. The Senator from Texas kindly allows me to take the floor for two or three minutes only.

Mr. President, while agreeing with the whole Senate in admiration for the very interesting and powerful argument of the Senator from Wisconsin [Mr. SPOONER], and agreeing heartily with nearly every proposition he has laid down, I wish simply to put on record my dissent from one. I do not propose to enter into the argument at all, but the question of the powers of the House and the Senate in regard to treaties affecting revenue is one which has frequently arisen between the two Houses since the beginning of the Government, and it is likely to arise in the future.

A concession, even limited like that of the Senator from Wisconsin, so justly esteemed as a Senator as he is, is likely to be quoted again and again hereafter against the view which has generally been adopted by this body, and it is more likely to be quoted if it can be said of it that, while it was made in a full Senate, nobody dissented. I wish therefore to state for myself my dissent from the proposition which I understood him to lay down, that

the Senate can not make a treaty affecting the revenue, either by raising it or diminishing it, without the assent of the House, and that the general treaty-making power is in that respect limited by the familiar provision of the Constitution that all bills for raising revenue shall originate in the other body.

My belief upon that proposition is this: The Constitution provides for two methods of legislation. It declares that bills passed in accordance with the Constitution and treaties shall be the law of the land. They have equal authority, and the latest bill or treaty is the latest declaration of the law and repeals all others in conflict with it. Then the Constitution proceeds to say, not that measures or even laws for raising revenue shall originate in the House, but that bills for that purpose shall do so—that is, in substance, that when the method of doing this is by majority vote the method of accomplishing it is by statute, the origin of which is a bill, the popular branch shall have the sole prerogative of originating it. But the Constitution leaves untouched, by any suggestion of a provision, direct or indirect, the otherwise unlimited authority to make any kind of law by treaty.

It is true there are many treaties which, while pledging the faith of the Government, require an act of Congress to give them effect, just as there are many laws which, while pledging the faith of the Government, require a supplementary act of Congress to give them effect. A law providing for a public debt and authorizing the Secretary of the Treasury to sign the evidences of the public debt requires a future law making an appropriation for its payment, but it is operative and pledges the faith of the Government to the public creditor, and it becomes the bounden duty of both Houses to make the appropriation, just as much as it becomes the bounden duty of both Houses to carry into effect any other provision of the Constitution whatever. So in the matter of the salaries of judges. But it is not necessary to carry the illustration further.

There may be treaties affecting revenue—and it makes no difference, as I agree with the Senator from Wisconsin, whether their effect is the diminution or the raising of revenue—which require future legislation to carry them into effect. It is not necessary to illustrate that. And there may be treaties which require no further legislation to carry them into effect. For instance, suppose, being in the habit of charging \$100 head money on every passenger brought into the United States, we should make a treaty with Spain in these words: "Hereafter no officer of the United States shall receive or exact any head money from any passenger coming from Spain." That would be a complete, perfect enactment. It would be the law of the land, by the express provision of the Constitution, requiring no further act of Congress to give it effect or to provide any mechanism for carrying it out. I hold that such a treaty, although it affects revenue and never has been in the House, is as absolutely, by the plain meaning of the Constitution, the law of the land as if those same words were put into a statute enacted by both Houses.

Mr. President, while saying this and putting on record my dissent from so much of the very clear and powerful argument of the Senator from Wisconsin as stated to the contrary, I desire, at the same time, to go on record as utterly disapproving the policy of fixing our tariff by treaty. I have had great difficulty in supporting the treaty and in supporting this bill to give it effect. It is contrary, it seems to me, to a sound public policy when we can by a simple act of Congress, requiring a majority only in each branch, pass concurrent legislation providing that when another country has enacted a certain law, and the President has issued his proclamation that it has gone into effect, such and such shall be the provision in this country.

The treaty puts a fetter on our limbs in regard to a matter solely of domestic importance and interest. If you can ratify a treaty by two-thirds of the Senate, and if you can get the assent of the House to it by a majority, of course you can more easily get the assent of a majority of the Senate and a majority of the House to the same proposition. It is an easier way of accomplishing any international arrangement, if it be expedient, and it is a method which, if we find we have made a mistake, or the circumstances change, remains wholly within the power of Congress.

So, Mr. President, I have found great difficulty in supporting the present treaty, even with Cuba, and I wish to put this declaration on record in order that I may not hereafter have my own vote cited to me as a precedent for approving any other measure of the same kind. But it seems to me, for the reasons so well stated by the Senator from Wisconsin and the Senator from Illinois who has charge of this measure, that the cause of Cuba is a special case, dependent upon its own considerations and never to be drawn into a precedent for any other case.

I do not quite like what has been said about promises made to Cuba. I do not know who has authority to make such promises, except the President and the Senate, and I do not know in what way they can be lawfully made except by the treaty-making power.

I did not quite like one phrase in the President's message in which he said that if we did not pass this measure we would come perilously near a national breach of faith. But I do not propose to stick in the bark about that. Whether or not these phrases are quite apt, it was not unreasonable that the President or the Secretary of State or eminent Senators who may be supposed to know the public opinion of the country or the prevalent opinion in Congress should have said to the Cubans, when they were in this difficult position in determining whether or not they would accept the Platt amendment, that, from their knowledge of conditions in this country, they thought the Cubans might reasonably and fairly depend upon some future action of Congress. If such things have been said, whether by members of this body or members of the executive department of the Government, I for one should desire to go to the fullest extent to which I can go, consistently with my sense of duty to my own constituents and to my own country, to carry them into effect.

I do not encounter the difficulty which the Senators from Colorado find in regard to the sugar matter. I do not myself find that the diminution of the duty will not leave the sugar interest in this country, whether the raisers of sugar or the manufacturers or refiners, with an ample protection fairly proportionate to that enjoyed by the other and most favored industries. I confess I am not much frightened by this bugaboo of the sugar trust. There has not been a measure proposed since I have been in public life, at any rate in recent years, in regard to which each side did not claim that the other was in the interest of the sugar trust.

Mr. President, there are men so extreme and so excited and so fanatical about this matter that they even say the Colorado beet-sugar industry is very largely owned by the sugar trust. I presume my friends from that State know better and will assure us that into whatever parts of the country the influence or interest of the sugar trust has penetrated, it has kept off the sacred soil of Colorado.

However that may be, I propose, for the reasons I have stated, to give my support and my vote to this bill, and at the same time I wish to put on record my opinion that it never must be or properly can be cited as a precedent in regard to reciprocity treaties with any other country or any other future condition.

Mr. BAILEY. Mr. President—

The PRESIDENT pro tempore. Before the Senator from Texas commences to speak, the Chair calls the attention of the Senate to the fact that the advocates of the bill have now occupied two hours more of time than the opponents. So the Chair will regard it as its duty to recognize for the next two hours, at any rate, opponents to the pending bill.

Mr. BAILEY. Mr. President, during my service in this body I have had frequent occasion to differ with the distinguished Senator from Wisconsin [Mr. SPOONER], but never until to-day have I had the least occasion to complain of him. I do not think that when the heat of the debate has passed he will be entirely satisfied with his suggestion that I have been influenced in my opposition to this measure by any desire to protect the cattle interest of my State. The Senator from Wisconsin is an honor to the American Senate, and when he misstates a Senator's position he does himself a very much greater injustice than he does the Senator whose position he misstates; and I am sure, when his attention has been called to it, he will, as all other Senators will, remember that in what I said about the cattle interests of Texas I uttered no word in advocacy of its protection. But, on the contrary, I stated that I had received many urgent requests to vote for this measure, those requests assigning as their reason for its passage that it would be in the interest of the cattle growers of our State.

The Senator also, when pressed and made somewhat uncomfortable about the inconsistency of refusing in the last Congress to abate 12½ cents per hundred from the present protection on sugar, while now agreeing to an abatement of 33 cents a hundred—

Mr. ALDRICH. Will the Senator from Texas permit me?

Mr. BAILEY. Certainly.

Mr. ALDRICH. In the absence of the Senator from Wisconsin I think the Senator ought to state that the abatement of 12½ cents proposed was in addition to the 33 cents a hundred pounds maintained in this bill, and not in place of it.

Mr. BAILEY. I will say to the Senator from Rhode Island that it is not my purpose to enter into a discussion of that matter. I simply stated it for the purpose of saying that the Senator from Wisconsin rather put aside that inquiry with the suggestion that we were pretending that the small island of Cuba was about to destroy all of the agricultural industries of the United States.

Now, the Senator will remember—and if he is so unfortunate as to forget the Senate will remember—that what I said about the cotton-manufacturing industry of the South was not that Cuba threatened to destroy either the cotton-manufacturing or the cotton-growing industry of our section, but I simply reminded the Senators, who hoped to be able to say to their people as an explanation for their support of this bill that they had made a new mar-

ket for cotton cloth, that they would also be called upon to account to the cotton farmers for having stimulated a Cuban competition against them. I disclaimed then, and I disclaim now, the support of any bill, as I disavow opposition to any bill, upon the theory of protection for any interest.

I have sometimes been accused of being "tainted with protection"—the Senator from Rhode Island [Mr. ALDRICH] smiles at the expression "tainted with protection." It is commendable in you gentlemen who openly proclaim that policy to advocate protection, but it is a taint for a gentleman on this side to believe in levying taxes which are intended to enable one man to charge another man more for the goods which he must buy. I have, however, been accused of protectionist views only by those who do not understand my position, and because I have resisted the absurd, unreasonable, and, as I believe, the un-Democratic doctrine of free raw materials. I have never contended for a tax upon the raw material with any idea of protecting the man who produces it, any more than I have been willing to levy a tax upon the finished product for the sake of enabling the man who manufactures it to realize a higher price from its sale.

When I vote for a duty on woolen goods I do so without any thought of protecting the woolen manufacturer, and when I vote for a duty on wool I do so without any desire to protect the wool-grower. I vote for a duty on woolen goods for the purpose of raising revenue to support the Government and not to enable the woolen manufacturer to charge more for his goods; and I vote for a tax on wool for the purposes of raising revenue to support the Government, with no idea of enabling the farmers of the West and the South to charge the manufacturers more for their wool. I vote for a duty on each for the purpose of raising money to support the Government, and I demand a duty on both because I know that if one shall be released from the payment of its just proportion, a double proportion must be collected from the other.

Mr. SPOONER. Will the Senator from Texas allow me for a moment?

Mr. BAILEY. Certainly.

Mr. SPOONER. I understand that in my absence for a moment the Senator has said that in my reference to what he said about Texas cattle I did him an injustice, as imputing to him a purpose to protect Texas cattle. Is that it?

Mr. BAILEY. I understood your reference to be that.

Mr. SPOONER. No; I beg to say to the Senator that if he thinks that, I did him an injustice.

Mr. BAILEY. I said—

Mr. SPOONER. Because I never suspected the Senator of being a protectionist on anything. But I thought unconsciously, in a lucid interval, just for about a second—

Mr. BAILEY. That I had lapsed into a Republican doctrine?

Mr. SPOONER. That is it.

Mr. BAILEY. I am sure the Senator from Wisconsin did not intend to do me an injustice.

Mr. SPOONER. I did not.

Mr. BAILEY. And I took occasion to preface my complaint with a statement, which I would have hesitated to make if the Senator had been in the Chamber, entirely complimentary, and expressing no more than my real opinion of the Senator's ability.

Mr. SPOONER. If what I said may be imputed as attributing to the Senator a thought of protecting Texas cattle, I did him an injustice.

Mr. BAILEY. That disclaimer disposes of that matter entirely and satisfactorily. While I would probably not have taken the floor except on account of what I understood the Senator from Wisconsin to say in that respect, now that I am on it I desire to call the attention of the Senate to what I believe to be a very fallacious argument made by the Senator from Wisconsin.

He agrees with me that the President can not negotiate and that the Senate can not ratify a treaty raising revenue so as to make it the supreme law of the land. That far we agree perfectly, and I am delighted to have his concurrence in my views. But the Senator from Wisconsin contends that while a revenue treaty negotiated by the President and ratified by the Senate is invalid, it can be made valid by the subsequent approval of Congress; and this is the issue between him and me. The Senator from Massachusetts, however [Mr. HOAR], maintains before the Senate the remarkable doctrine that the power of the President in the negotiation of treaties is practically unlimited. The Senator, perhaps, would not state it in that way, but that seems to me the effect of his statement.

Mr. HOAR. If the Senator will pardon me, I think he does not quite make my statement as I did. What I said was that the constitutional inhibition of the introduction of revenue measures in the Senate applied in express terms only to bills. The Constitution gives the treaty-making power, whatever it is, however limited in other respects, to the President and the Senate, and the legislative power to the two Houses of Congress, by statute, which is inaugurated by bill. Then it proceeds to say that bills, not

measures, for raising revenue must be originated, as between the two Houses, in the other House, leaving the treaty-making power, whatever else may be its limits, not affected by that at all. In other words, whatever we may do by treaty we can do without reference to the particular clause in the Constitution which says that if we undertake to do it by bill the House shall begin it. That is my proposition.

Mr. BAILEY. Mr. President, I shall not at this time reply to what has been said by the Senator from Massachusetts, because it is not involved in the proposition now before the Senate. I will, however, observe in passing that if the Senator from Massachusetts is correct in his view of the Constitution, and if the President can do by a treaty what the Constitution expressly provides that Congress shall do by a bill originating in the House, then, sir, the President under his treaty-making power can nullify every limitation which the Constitution has imposed upon the various departments of the Government.

I agree with the Senator from Wisconsin that the correct rule with respect to the treaty-making power was that laid down by the Supreme Court of the United States when it said:

The treaty-making power, as expressed in the Constitution, is in terms unlimited, except by those references which are found in that instrument against the action of the Government or its departments.

If I could be permitted to criticise the phraseology of the Supreme Court, I would say that the form of expression was not the most felicitous that could have been chosen. The court was exact in saying that "the treaty-making power, as expressed in the Constitution, is in terms unlimited;" but it is a little confusing to say in the same sentence "except by restraints which are found," etc., because those restraints are not "in terms" as has been stated by the court. If I could rewrite that sentence, I would say that while the treaty-making power, as expressed in the Constitution, is in terms unlimited, it is, however, by necessary implication, subject to all of those restraints which the Constitution imposes upon the Government or any of its departments. The Senator from Wisconsin does not subscribe to that more fully than I do, and it is a matter of surprise to me that he does not further agree with me that when the Constitution specifically, and for a well-defined purpose, expressly limited the origin of revenue bills to the House of Representatives, it restrained, by necessary implication, the treaty-making power over that subject.

At one time it was seriously proposed in the Constitutional Convention not only to confine revenue bills in their origination exclusively to the House, but it was further proposed, following the rule of the British Parliament, to forbid their amendment in the Senate; though it was finally agreed, as an adjustment of many differences, that, while all revenue bills must originate in the House, the Senate should have the power to amend them.

The essential power of the House, Mr. President, is the right to originate, and not the right to approve. The House of Representatives would be entitled to exercise its right of approval or disapproval under that other and entirely different clause of the Constitution which declares:

Congress shall have the power to lay and collect taxes, duties, imposts, and excises.

This is the first in the long list of enumerated powers which the Constitution grants to Congress, and under it no taxes can be levied without the approval of the House of Representatives. That, sir, however, did not satisfy the jealousy of those who made the Constitution, in respect to this question of taxation, and they not only secured to the House as well as to the Senate the right to lay and collect taxes, but they specifically provided that no tax could even be proposed except by the immediate representatives of the people.

The Senator from Wisconsin, with that skill in argument for which he is so distinguished and which makes him such a formidable adversary in debate, while admitting that the President and the Senate can not levy taxes by a treaty, works out by a distinction too nice for my comprehension a justification of the present bill. He contends that because the bill now under consideration originated in the House the constitutional requirement is satisfied, although he hardly ventured to deny that the treaty and not this bill is the substantial part of this whole transaction. It is true enough that this bill did originate in the House of Representatives; but even those who framed it could not escape the real nature of it, and they were compelled in the very title of it to describe it, not as a bill raising revenue, but as "A bill to carry into effect a convention between the United States and the Republic of Cuba."

The Senator from Wisconsin finds his only saving argument in the fact that the treaty itself provides that it "should not take effect until it had been approved by Congress." My answer to that argument is that the President and the Senate have no power under the Constitution to submit a treaty to the House of Representatives, and that the stipulation referring that treaty to the approval of Congress so far from curing the President's vio-

lation of the Constitution in negotiating a revenue treaty simply aggravates his offense by requiring the House of Representatives to exercise a function which the Constitution studiously withholds from it.

My contention is that the House of Representatives was excluded from the treaty-making power of this Government by the framers of the Constitution, and that the action of the President and the Senate can not confer upon it the right to approve or disapprove a treaty any more than they could to confer the same power upon the judicial department. Will the Senator from Wisconsin tell this Senate that the President could negotiate and that the Senate could ratify a treaty deciding a lawsuit between a foreign ambassador and a citizen of the United States, and that such a treaty could stipulate that it would become effective when approved by the Supreme Court of the United States?

Undoubtedly, sir, the President could negotiate and the Senate could ratify a treaty with a foreign nation whose ambassador was maltreated or injured, making a satisfactory reparation; but, sir, they have no power to negotiate a treaty for the settlement of any litigation between a foreign ambassador and one of our own citizens because such litigation is beyond the Executive and the Senate and within the cognizance only of the judiciary. If, however, the proponents of this legislation are right, the President can settle all judicial controversies in the first instance if only he will refer his settlement of them to the courts for their approval.

To carry this analogy of the judicial department one step further, let us suppose that the Supreme Court of the United States should render a decision in a case pending before it, and should conclude its opinion by declaring that its judgment in that case should not take effect until ratified by the Congress. Such an abdication of its power by the highest court in the land would so shock the common sense of every Senator that without a dissenting voice we would condemn the action of that court, and we would all unite in declaring that the Congress could no more exercise the judicial functions of that court than it could exercise the legislative functions of Congress. These cases, sir, are precisely analogous. The President and the Senate in this treaty have stipulated that it must be approved by Congress, and as Congress includes the House of Representatives, it must, of course, be approved by that body; and yet as an original proposition no Senator here would venture to maintain that the House possesses or that it can be given any control over the treaty-making power of this Government.

The Senator from Wisconsin has paid a high tribute to John Randolph Tucker, who was once chairman of the Judiciary Committee of the House, and he can pronounce no eulogy upon that distinguished lawyer which I will not repeat with fervent emphasis. It is true, sir, as the Senator from Wisconsin has said, that in Mr. Tucker's report he has gone no further than to say that the President and the Senate can not make a revenue treaty which will be binding in law until that treaty has received the approval of Congress. It is true also, as stated by the Senator from Wisconsin, that I go further than Mr. Tucker went in this particular report, but the Senator can find no reason for saying that I have gone further than Judge Tucker would go if he were here to-day.

It is a remarkable fact that, notwithstanding his exhaustive study of the question, Judge Tucker was not able to interest his associates on the committee in this most important subject, and not one of them joined him in his report. They all signed it, but signed it with the distinct statement that they were not responsible for the views which it expressed; and the fact that he could not induce his associates on the committee to examine the question might well have deterred him going to the full extent which his judgment would warrant. But whether I go further than Judge Tucker or not, the Senator from Wisconsin himself admits that I have gone no further than the famous report of Senator Choate; and I can not feel embarrassed over my disagreement with others so long as I agree with the greatest of all those lawyers, with a single exception, who have made the Massachusetts bar the foremost in this Republic. As he said it before me, so I repeat now:

To follow, not to lead; to fulfill, not to ordain the law; to carry into effect by negotiation and contact with foreign governments the legislative will when it has been announced upon great subjects of trade and revenue, not to interpose with controlling influence, not to go forward with too ambitious enterprise—these seem to the committee to be the appropriate functions of the Executive.

If I had the power, Mr. President, I would inscribe those words in letters of gold upon the four walls of this Senate Chamber, and they should constitute my reply to all who insist upon clothing the President with the extraordinary and dangerous power which he has attempted to exercise.

The Senator from Wisconsin says that I have complained because he and his party friends did not pass the House bill of the last Congress, which bill he thinks subject to serious constitutional objection. The Senator is mistaken in saying that I complained because the House bill was not passed. What I complained of was that it was not even reported to the Senate for discussion;

but I charged that rather against the President's interference than against the disposition of the Senate, because while the bill was still before the Senate committee the President interrupted its consideration by entering upon the negotiation of a treaty.

The Senator from Wisconsin is quite right in saying that Congress can not add to the powers of the President as defined in the Constitution. Congress can add to his duties by enacting laws, which, under his oath, he is required to execute, but we can neither add to nor take from his treaty-making power. That old House bill, however, did not enjoin upon him. It merely authorized him to negotiate a treaty, an authority which, in my judgment, he possesses without any action of Congress, so far as he can possess it at all. In other words, I mean to say that Congress can not empower the President to negotiate any treaty which he would not have the right to negotiate without the enabling act of Congress.

The Senator from Wisconsin argues that it must be competent for the President to negotiate and the Senate to ratify a revenue treaty which is to become effective when approved by Congress, because, unless such a right does exist on the part of the President, it would be extremely difficult to consummate reciprocal trade agreements with other nations. That there is some force in that argument, considered from a practical point of view, I freely admit, but there is no force whatever in it as a matter of law. I have no doubt that it would be easier for a representative of this Government and the representative of a foreign government to reach an agreement upon any question than it would be for the Congress of the United States to reach an agreement with the legislative body of the other country, but the framers of the Constitution, whether they thought it convenient or inconvenient, desired to leave the question of taxation primarily to the House of Representatives, whose bill may be amended by the Senate. The practical difficulty is not so great as the Senator from Wisconsin seems to suppose, and when he and his party friends undertook to perfect the McKinley Act by adding to it a reciprocity provision they prepared one which did not leave it to the President to negotiate revenue treaties, and only clothed him with the power to issue his proclamation under certain circumstances; and even the constitutionality of this power was assailed with great force of reasoning.

At this point, Mr. President, it will not be amiss to briefly review the action of Congress on the reciprocity provision of the McKinley Act, and the litigation with respect to that act which afterwards occurred in the courts. When the Republican party was framing the tariff act of 1890, Mr. Blaine, who was then Secretary of State, plied his party with arguments day after day urging them to adopt his scheme of reciprocity with the countries to the south of us. He was not successful, however, in securing a recognition for his views in the House of Representatives, and he followed the bill to the Senate, where an amendment which was said to have been prepared by him was presented. That amendment was not acceptable to Republican Senators, though they finally concluded to embody some provision on the subject in their bill, and accordingly the Senator from Rhode Island [Mr. ALDRICH], who knows more about the intricacies of the tariff than any Senator on either side of this Chamber, prepared and submitted the amendment which afterwards became the third section of that act.

The Senator from Rhode Island will bear me witness that it was not such a provision as the Secretary of State had desired; and yet, Mr. President, it was incomparably better than the present bill, because it did provide for a certain kind of free trade with all of the South American countries, while the present bill provides a reciprocal protection with only one of them. It will doubtless surprise some of my Democratic friends who are supporting this unconstitutional measure when I tell them that every Democrat in the Senate voted against the proposition of the Senator from Rhode Island. Here is the roll call, and every Democratic Senator voted in the negative. Not only so, but, without intending any invidious comparison, I can afford to say that two of the greatest lawyers on the Republican side, Edmunds and Evarts, joined our Democratic predecessors in voting against the reciprocity provision of the McKinley Act.

Except that it would be tedious, I would call that roll. And then, too, it would produce in this Chamber a feeling of unspeakable sadness, for many of those who then honored their country by their service here have gone from amongst us. On this side we miss the knightly Walthall and his colleague, the profound lawyer and wise statesman, Senator George; Voorhees, whose long and brilliant service was an honor to his State; Isham G. Harris, whose fidelity won for him the first place in the hearts of all Tennesseans; the incorruptible and lion-hearted Coke, whose successor I am not worthy to be, have all been called to "where beyond these voices there is peace." Others like Vest and Reagan in voluntary retirement are spending the evening of their lives in a well-earned repose. But there are still some here who helped to make that record, and I have the right to confidently expect

they will help to sustain it. Among the Senators now here who voted against the reciprocity provisions of the McKinley Act were the distinguished Senator from Alabama [Mr. MORGAN], the distinguished Senator from Kentucky [Mr. BLACKBURN], the distinguished Senator from Maryland [Mr. GORMAN], the distinguished Senator from Arkansas [Mr. BERRY], the distinguished Senator from Tennessee [Mr. BATE], and the distinguished Senator from Virginia [Mr. DANIEL]. They were here when that roll was called and they voted to outlaw this policy from the favor of the Democratic party.

Afterwards, when that bill was passed over their protest and the validity of it was tested before the Supreme Court, the only two Democrats on that bench held it unconstitutional and void. Not because it did not originate in the House; for that question was not presented, and the papers before the Supreme Court contained a certificate that the bill had originated in the House of Representatives. Here it is:

Approved, October 1, 1900.

BENJAMIN HARRISON.

I certify that this act originated in the House of Representatives.

EDWARD MCPHERSON, Clerk.

The objection in that case was not half so strong as the objection here. That bill originated in the House of Representatives.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER (Mr. MARTIN in the chair). Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. BAILEY. I do, very cheerfully.

Mr. SPOONER. Only for a moment. The Senator, of course, will admit that no such question as has been under discussion in this debate, especially between the Senator himself and other Senators, was involved in that case?

Mr. BAILEY. That is true.

Mr. SPOONER. The treaty-making power was not involved in it.

Mr. BAILEY. Oh, no.

Mr. SPOONER. It was simply a question whether Congress had not in an unconstitutional way delegated the legislative power to the President.

Mr. BAILEY. I am stating another reason why this bill ought not to be passed, and that reason was considered ample in the estimation of great Democrats. I have not stated them all. I could not state them all within the limits of a single session of the Senate.

Mr. SPOONER. I was not going into that. I was merely asking the Senator if he claimed that it touched the treaty-making question.

Mr. BAILEY. I do not; neither do I claim that it touches the question as to the power of the House to originate. That question was entirely taken out of the case by the certificate of the Clerk that the act did originate in the House. The contention in that case was that the reciprocity provision of the McKinley Act was unconstitutional because it conferred upon the President of the United States a power to levy taxes and to regulate our commerce with foreign nations.

The court was divided in its opinion with respect to the constitutionality of this reciprocity provision, and the majority sustained the constitutionality of that provision very much more by legislative precedents than by judicial reasoning. After reviewing at some length the legislative precedents, the court says:

For the purpose of securing reciprocal trade with countries producing and exporting sugar, molasses, coffee, tea, and hides, Congress itself determined that the provisions of the act of October 1, 1890, permitting the free introduction of such articles should be suspended as to any country producing and exporting them that imposed exactions and duties on the agricultural and other products of the United States, which the President deemed, that is, which he found to be, reciprocally unequal and unreasonable.

Now, here is the meat of it:

Congress itself prescribed, in advance, the duties to be levied.

Precisely what Congress has not done in the present case. The President of the United States selected the articles and fixed the duty, and Congress is simply permitted to approve what he has done. The majority of the court, in holding the reciprocity provisions of the McKinley Act constitutional because Congress itself had first selected the articles and fixed the rates, condemn by that reasoning this act as unconstitutional, because Congress did not "first prescribe the duties to be levied."

Mr. SPOONER. I should like to ask the Senator a question, if he will permit me.

Mr. BAILEY. Certainly.

Mr. SPOONER. Does the Senator claim that that case has the slightest relevancy to the question we are discussing?

Mr. BAILEY. It is entirely relevant in this way: Democrats are urged to vote for a reciprocity bill as the essence of Democracy, and I am showing that all the Democratic Senators and the only two Democratic judges who passed upon this question on another occasion decided against it.

Mr. SPOONER. If it is a question of Democracy, I yield to the Senator.

Mr. BAILEY. The Senator from Wisconsin is not an expert on that.

Mr. SPOONER. I thought it was a question of law.

Mr. BAILEY. I do not make it a question of law, because the Supreme Court, by a majority, decided it the other way. If, however, I be permitted to borrow an expression from Mr. Lincoln, I would say that the decision of the Supreme Court on a political question can not bind my conscience. Lincoln said that in an inaugural address and Jefferson had said it long before him. So great as my respect is for the Supreme Court, and willingly as I submit to its adjudications on all questions involving personal rights, upon those great questions involving political duties and political powers I must reserve, as does the Senator from Wisconsin, the right to decide for myself.

Mr. SPOONER rose.

Mr. BAILEY. Does the Senator desire to interrupt me?

Mr. SPOONER. If it is not agreeable to the Senator, I will not do so.

Mr. BAILEY. It is entirely agreeable.

Mr. SPOONER. The quotation from Mr. Lincoln, of course, is accurate and one that ought always to be remembered. But the Senator will pardon me if I challenge its application here. For the life of me I can not understand what possible relevancy that decision has, in any view of it, to the question whether, admitting that the President and the Senate can not by a treaty change tariff rates, the President and the Senate may not by an executive agreement, to be supplemented by legislation originating in the House, change tariff rates.

Mr. BAILEY. The Democratic judges here said they—

Mr. SPOONER. Oh, no; that question was not involved in that case.

Mr. BAILEY. Let me read—

Mr. SPOONER. Wait a minute, if the Senator will allow me.

Mr. BAILEY. Certainly.

Mr. SPOONER. I was here when that bill was passed. I do not know whether the Senator was or not.

Mr. BAILEY. No; I came later.

Mr. SPOONER. It involved no treaty; it authorized no treaty; it contemplated no treaty; but the question was whether, by authorizing the President to determine the facts upon which the Congress said certain rates should become operative, Congress had violated the Constitution by delegating to the President the legislative power. The Democratic members of the court, I think erroneously—I say that not because I am a Republican—decided that it was a delegation of the legislative power. The Republican members of the court decided that it was not; and in deciding that it was not they followed several decisions which had been made by the court theretofore.

Mr. BAILEY. They really followed only one decision.

Mr. SPOONER. Two.

Mr. BAILEY. The brig *Aurora* case was the only one.

Mr. SPOONER. Two, I beg the Senator's pardon.

Mr. BAILEY. Only one case seemed to be exactly in point. There had been legislative precedents like those to which the Senator from Wisconsin has referred, but when those precedents are examined it will be found that this Government never entered upon the policy of negotiating these commercial treaties until the Zollverein treaty, to which I called the attention of the Senate day before yesterday. The first treaty of this kind negotiated and ratified was the Canadian treaty, which, I am told, was negotiated by a Democratic President. But, without diverting myself from this decision, I will attend to that a moment later.

A majority of the court held that the reciprocity provisions of the McKinley Act were constitutional because it was in accordance with the legislative history of the country. The Democratic members of that court held that it was not constitutional because it delegated to the President a power that belonged to Congress. In that case there was an act originating in the House of Representatives authorizing the President, under certain conditions, not to negotiate a treaty, but to suspend the law, and the two Democrats on that bench held that the President could not be authorized, even by an act of Congress originating in the House of Representatives, to suspend the tariff laws of the United States.

Now, Mr. President, in calling attention to the fact that the decision of that court fell along the lines of political division I imply no censure against that tribunal. I do not think it any just ground for criticism against a man that he thinks according to the same rules of logic on the Supreme Bench as he would on the floor of the Senate. To expect that the same man would decide the same question differently as a judge from what he would have decided it as a Senator is to imply either that a Senator is less honest than the judge or else that he is less wise. That a court, whose constant and only duty it is to consider questions of law, should be better qualified to decide all cases of private rights than a Senator would be is, of course, a self-evident proposition; but upon those great questions of fundamental and constitutional law which lie at the

foundation of this Republic Senators, whose duty it is to make the law, ought to be as well informed as the judges who are to construe it.

As for my part, I have never complained and shall never complain because a man carries with him to the highest judicial tribunal in the world the principles and opinions which he has adopted and matured during a lifetime of diligent study. I have no doubt, sir, that the same mental process which would lead me as a Senator to believe that a given measure is a wise one would lead me as a judge to believe that same measure to be valid when enacted into a law; and my only purpose in calling the attention of the Senate to the fact that in the case of *Field v. Clark* the court divided according to their political affiliations and antecedents was to point out to this side of the Chamber and to the country that those of us who are assailed for refusing to consider reciprocity as a time-honored Democratic doctrine are confirmed in our position by the unanimous vote of Democratic Senators and by the opinion of Democratic judges.

Mr. SPOONER. What does the Senator mean by that? Is it the Senator's proposition that because the Democratic judges thought alike all the Democratic Senators should vote alike?

Mr. BAILEY. No; all Democratic Senators ought to think alike, and therefore ought to vote alike. On this side it is thinking before voting; but our friends belonging to an Administration party are sometimes compelled to think after they vote. [Laughter.] That mental condition unfortunately is not peculiar to your party. It happened to us when we were in power, or, rather, I ought to say, when we were partly in power, for we have never been wholly in power since the war; but when we were partly in power we had some loyal Administration Senators over there just as you occasionally have some over here. But mark my word, there will be no Senators from the White House on this side hereafter. Remember that. You will have to take care of your own Administration and you will get no help from us.

Mr. SPOONER. Suppose we suggest a sufficient reason for such support?

Mr. BAILEY. When the reason is sufficient you will get all of us; but if it is not sufficient you will get none of us. Hereafter it will be all or none.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. Will the Senator please state to the Senate why he makes such an assertion?

Mr. BAILEY. The Senator from Rhode Island knows; but to set him an example in candor I will tell him that we have resolved that it shall be so. Does that satisfy the Senator from Rhode Island?

Mr. ALDRICH. Yes.

Mr. BAILEY. The Senator can unite his party without a resolution. [Laughter.] Somehow or somehow else they have maintained a military discipline on his side, and when a man mutinies they shoot him on the spot. [Laughter.] They here carried their discipline to the point of abject submission, and we have carried our independence to the point of insubordination. This shall be true of us no longer. When you are right, we will all help you; when you are wrong, we will all oppose you. Then we will have a division on party lines, which is after all the best division. Does the Senator from Wisconsin not think that the best division?

Mr. SPOONER. No; I think the best division, if the Senator wants to put the question to me, is for every Senator to vote as he thinks, not as two-thirds happen to think.

Mr. BAILEY. The Senator from Wisconsin does not exemplify that doctrine in his life [laughter], because the Senator has more than once pointed out obnoxious bills, and then, just as I might have done under the same circumstances, voted for them as a party duty.

Mr. SPOONER. To what bills does the Senator refer?

Mr. BAILEY. A number of them. I can not enumerate them.

Mr. SPOONER. If the Senator will permit me—of course my position upon this bill or that, whether I am consistent or inconsistent, is of no consequence—I will say I have not always voted with my party on every measure. I voted against the acquisition of Hawaii; I voted against the ship-subsidy bill. But no matter; the Senator does me an injustice; that is all.

Mr. BAILEY. The Senator from Wisconsin is a most honorable exception now and then. [Laughter.] The others never are exceptions.

I will say very frankly, Mr. President, that I have no patience with a mugwump. I believe in a sturdy and thorough-going partisanship. Burke never uttered a profounder truth than when he declared that "political parties are indispensable in free governments," and political parties can only be maintained through organization and discipline. Whenever I reach the point where I feel that two-thirds of my party are apt to be wrong, I shall be ready to

leave it. Whenever I set my judgment over and above the judgment of my party, I will abandon the claim of being a party man and set up the claim of being an independent.

Mr. President, I do not wonder that it worries our friends on the other side that they are to get no further help from our side. They have been getting just as much as they needed. They could always find some one who, like the Senator from Wisconsin, was ready to make an honorable exception of himself and vote against us and with you; and, unlike the Senator from Wisconsin, who voted against his party when his vote did not defeat a party measure, we have been voting with you when our votes were needed.

Mr. President, a Democrat who has been an unwilling witness to the frequent and unfortunate divisions in our party can well be pardoned for rejoicing in the belief that it is to employ its united strength hereafter in contest against its successful and confident opponent. Nobody is so sanguine as to hope that we will escape all differences among ourselves in the future, but I confidently believe that those differences will be settled among ourselves, and if that hope shall be realized the strength and glory of our party will return. During the sixty years from Jefferson's first inauguration until rent by the unhappy divisions at Charleston the Democratic party lost but three Presidential elections and never lost two in succession. All Democrats did not then think alike on every question any more than they do to-day, but they submitted their disagreements to the arbitrament of our national conventions and loyally abided by their decisions.

During those years the Democratic party made its mistakes and suffered its punishment at the hands of the people; but its banishment from power was always brief and after each defeat it was restored to the confidence and affection of the people at the succeeding election. Its adversaries in that time were as wise and as patriotic as those who confront it to-day, but one after another they passed out of existence and into history; and the Democratic party alone was able to survive a single generation of voters. In the Presidential election of 1840 it encountered a defeat more overwhelming than any of the recent past. That election followed the great panic of 1837, and the Democratic party carried but six of the twenty-six States which then composed the Union. States which had never before wavered in their allegiance forsook it and its old enemies were encouraged with a new hope. The disaster was so complete that it seemed irreparable, and a party with a less unconquerable spirit or less devoted to its principles and to the welfare of its country would have disorganized and disintegrated. But, sir, it was not so with our Democratic fathers. The leaders of that generation wasted no time and spent no strength in quarreling among themselves over the responsibility for their common defeat. With a singleness of purpose they set themselves to the grateful task of reuniting the discordant and warring factions, and at the very next Presidential election the tall, white, and spotless plume of Henry Clay, marching at the head of the Whig party, went down to an irretrievable defeat before the Democratic hosts marshaled under the leadership of James K. Polk.

Again in 1848 the unfortunate division over the slavery question, culminating in the candidacy of Martin Van Buren as an independent and Free Soil Democratic nominee, distracted our councils, divided our numbers, and accomplished our defeat; but that defeat was as short lived as the others, and in the election of 1852 our legions were again victorious.

Oh, sir, if we can catch again the inspiration of our fathers; if we can subordinate our disagreements over some questions to our greater agreements upon others, we will again unite under the flag of a genuine and militant Democracy the millions who still believe in an honest, a frugal, and a constitutional administration of this Republic. Ours shall become a party without the bitterness of sectional strife and comprehending the highest good of all the Union. There shall be no class or caste with us; the greatest shall not be above our power, nor the humblest beneath our protection; the right shall find in us an advocate, and the wrong shall find in us an adversary. With such an organization pursuing such a lofty and unselfish purpose, those who, intoxicated with their power, now affect to despise us shall learn that it is as true in politics as it is in Holy Writ that "Pride goeth before a fall."

Mr. TILLMAN. "Pride goeth before destruction."

Mr. BAILEY. The Senator from South Carolina corrects my quotation, and I would be glad to amend by making it "destruction" if the people will carry his amendment into effect.

Mr. TILLMAN. "Pride goeth before destruction, and a haughty spirit before a fall."

Mr. BAILEY. The Senator from South Carolina is so much better versed in the Bible—

Mr. TILLMAN. Than in the law.

Mr. BAILEY. He is so much better versed in the Bible than I am that I always yield to his corrections.

Coming back, Mr. President, from this digression to the history of reciprocity, I want to refer for a moment only, for I am

disinclined to take all the time which belongs to the opponents of the bill, to the assertion that the Democratic party negotiated the Canadian reciprocity treaty of 1856.

That is true. But it is not the whole truth. When reciprocity with Canada was recommended by a great Democratic Secretary of the Treasury, Robert J. Walker, he advised that it should be effected by the concurrent legislation of the two Governments. In 1853 a distinguished Representative from Kentucky, Mr. Breckinridge, introduced into the House of Representatives a resolution asking the President to negotiate that treaty; and although negotiated, under those circumstances nobody believed that it would be ratified by the Senate, and one of the most disgraceful episodes in the history of this body arose out of the efforts to secure its ratification.

It was denounced at that time as having been "floated through the Senate on champagne and bought with British gold." I do not believe it was bought, because I do not believe a Senate has ever assembled under this Constitution which could be purchased, but it is well within the truth to say that Lord Elgin and his staff used all the blandishments of which diplomats are such consummate masters. That wine, women, and song constituted a more potential factor in the ratification of that treaty than argument must be accepted as true from all the history of the time.

Mr. President, I have detained the Senate the day before yesterday and to-day much longer than the merits of what I have said would justify. I should not have ventured to pursue the line of thought I have followed this afternoon except prompted to do so by the Senator from Wisconsin, who confesses to the Senate that this treaty is a violation of the Constitution unless it is saved from that by the provision which it contains requiring—the Senator shakes his head in dissent. I do not want to misstate his position; but as I understand him, he agrees with me that if the President had negotiated this treaty and the Senate had ratified it without any provision in it submitting it to the approval of Congress it would have been an unconstitutional exercise of power.

Mr. SPOONER. Oh, no, Mr. President.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. BAILEY. I do.

Mr. SPOONER. What I said was this: That the question the Senator has discussed as to the power of the President and the Senate by treaty alone to change tariff rates, was not raised by this treaty, because it is part of the agreement itself that it should not take effect until it had been approved by Congress. I did not say, nor do I say, nor do I think that if that provision had not been in the treaty the treaty would have been unconstitutional, although I assume, for the purposes of argument, and I should be strongly inclined to the opinion, that it would have remained executory until legislation originating in the House had given effect to it.

Mr. BAILEY. Then, Mr. President, the Senator from Wisconsin leads me—and I shall not be led very far—to inquire if he maintains that the President of the United States can negotiate a treaty, that the Senate can ratify it, that the two countries can exchange ratifications, and yet the treaty negotiated by the President and ratified by the Senate is not the supreme law of the land?

Mr. SPOONER. I do not.

Mr. BAILEY. That is not what the Senator contends?

Mr. SPOONER. If it be a treaty which requires legislation it is executory. What about the treaty of Paris? That contained no provision that it should not be operative until it had been approved by Congress, and it was not until Congress had appropriated money.

Mr. BAILEY. Congress appropriated \$20,000,000.

Mr. SPOONER. Yes; Congress appropriated the money.

Mr. BAILEY. It is not correct to say that the treaty was not binding until Congress made the appropriation, but it would be correct to say that it remained unexecuted until then. It is indisputably true that the President can negotiate a treaty stipulating for the payment of money, and yet the money can not be paid until its payment is provided for by Congress; but the treaty is none the less valid if the money is never paid.

Mr. SPOONER rose.

Mr. BAILEY. Now, if the Senator will pardon me, let me put this question to him: Suppose the House of Representatives had never appropriated the \$20,000,000, would not the treaty of Paris have been valid and would not the United States have stood bound to the Government of Spain for the payment of that money?

Mr. SPOONER. That is a question of international obligation which stands by itself. It would not become the law of the land in this country.

Mr. BAILEY. The treaty would have become a law of the land, and it was the law of the land at the time the House of Representatives appropriated the money. There can be no kind of question about that. I happened to be in the House of Representatives at that time, and the very reason, and the only reason,

I voted for that appropriation was that I thought I was conforming to the law of the land and discharging a subsisting and valid obligation of this Government.

There can be no such thing in this country as a law that is not a law; there can be no such thing as a conditional law in this country. Congress can pass a law with conditions in it, but that law must take effect when approved by the President, unless it be otherwise stipulated in the body of it. To say that Congress can pass a law and suspend it in its effect is to attribute to it a power never yet claimed by any statesman or lawyer.

The only way to keep a law from going into effect immediately after the President approves it is to stipulate in the body of the law that "this act shall not take effect until so many days from and after its passage." The only way to keep a treaty from going into effect is to stipulate that it shall take effect upon some contingency which is lawful.

Now, I say to the Senator from Wisconsin that it would be perfectly competent to negotiate a treaty with any foreign government stipulating that, at the happening of a certain event, the treaty should operate; but the moment that treaty was ratified and ratifications exchanged the treaty would become effective waiting only upon the event to operate.

Mr. SPOONER. Mr. President, I think the Senator is utterly wrong in his statement that a treaty can not be executory in its character.

Mr. BAILEY. I do not say that.

Mr. SPOONER. Wait a minute. There are many authorities upon it. Here is a quotation from Wheaton—if the Senator will pardon me a moment.

Mr. BAILEY. The Senator need not read that to me. I do not contradict the statement that a treaty may be executory, but I mean to say that the moment the ratifications are exchanged the treaty becomes valid and binding and to be performed under the conditions specified.

Mr. SPOONER. I understand—

Mr. BAILEY. The Senator does not quite catch my point.

Mr. SPOONER. I think I do.

Mr. BAILEY. I say a provision could have been incorporated into this treaty that it should not become effective until something happened that could lawfully happen, but it can not lawfully happen that the House of Representatives shall approve a treaty. Neither the making of a treaty nor the approval of a treaty is within the powers conferred upon the House by the Constitution.

Mr. SPOONER. Mr. President, if the Senator will permit me, I certainly can not agree that where a treaty is of such a character that it can not become effective until Congress has supplied the legislation to carry it into effect it becomes a perfect obligation, unless there is a provision in the treaty itself that it shall not become effective until it has been approved by Congress. The Constitution itself is written into the treaty, and if it can not take effect under the organic law without affirmative action by Congress, that is in the body of the treaty. The nations must take notice of the limitations upon the treaty-making power.

If the Senator will pardon me a moment, Wheaton says:

The treaty, when thus ratified, is obligatory upon the contracting states, independently of the auxiliary legislative measures which may be necessary on the part of either in order to carry it into complete effect. Where, indeed, such auxiliary legislation becomes necessary, in consequence of some limitation upon the treaty-making power, expressed in the fundamental laws of the state, or necessarily implied—

As the Senator from Texas thinks in this case—

from the distribution of its constitutional powers—such, for example, as a prohibition of alienating the national domain—then the treaty may be considered as imperfect in its obligation until the national assent has been given in the forms required by the municipal constitution.

And so it is said by Mr. Story; and so it is said in *Foster v. Neilson* by Chief Justice Marshall; and so it is said by Mr. Justice McLean, who, in the case of *Turner v. The American Baptist Union*, expressed himself as follows:

A treaty under the Federal Constitution is declared to be the supreme law of the land. This unquestionably applies to all treaties where the treaty-making power, without the aid of Congress, can carry it into effect. It is not, however, and can not be, the supreme law of the land where the concurrence of Congress is necessary to give it effect.

That is either where it provides as a part of the agreement that it shall not take effect until approved by Congress or where it is provided as a part of the Constitution that it shall not take effect until approved by Congress. Justice McLean continues:

Until this power is exercised, as where the appropriation of money is required, the treaty is not perfect. It is not operative, in the sense of the Constitution, as money can not be appropriated by the treaty-making power. This results from the limitations of our Government.

Mr. BAILEY. The statement that a treaty may depend, not for its validity, but for its execution, upon a subsequent act of Congress is undoubtedly correct. For instance, the Government of Cuba and the Government of the United States could well enter into a treaty which provided that "this treaty shall not become effective until Congress appropriates the money," because Con-

gress undoubtedly has the power to appropriate the money, and that kind of a stipulation in a treaty would be sensible as well as valid. But when they insert in a treaty a provision that it shall not become effective until the House of Representatives approve it, they incorporate a provision contrary to the Constitution of this country, because the House has no power over treaties as such. That is my contention.

Mr. SPOONER. That depends upon what is meant by the word "approve." If it were meant by that word until the House of Representatives ratifies it; if it is to be construed as an attempt to make the House of Representatives a party to the treaty proper, then the Senator is undoubtedly correct. But if it means until it is so far approved as to have been carried out by legislation, that is another matter, and that is the technical meaning in the making of treaties of the word "approve." Take this bill. It does not use the word "approve."

Mr. BAILEY. In the title it says—

Mr. SPOONER. It says "to carry into effect." The treaty itself says "until it shall have been approved by Congress." Does the Senator think this bill is an approval by Congress?

Mr. BAILEY. Undoubtedly, if Congress has the power to approve; but the Senator argues in a circle. My contention is, first, that the President has no power to negotiate a treaty without that provision in it, and, second, that the Senate can not cure the want of Presidential power by inserting the approval provision in it, because to submit a treaty to the approval of the House of Representatives is contrary to the Constitution. In other words, it requires the House of Representatives to perform functions which are not within its power.

Now, I want to read to the Senator from Wisconsin the correct doctrine on this matter. It was once stated in this Chamber by Mr. Evarts, and it is a quotation from Chancellor Kent, which my friend the Senator from Tennessee [Mr. CARMACK] is kind enough to call to my attention at this moment:

If a treaty requires the payment of money, or any other special act which can not be done without legislation, the treaty is still binding on the nation and it is the duty of the nation to pass the necessary law. If that duty is not performed, the result is the breach of the treaty by the nation.

In other words, a treaty, according to Chancellor Kent and according to all the best authorities, made by the Government is perfectly binding; it is the supreme law of the land; but that treaty may depend for its execution or enforcement upon some subsequent event. That event may be a physical or a political event. It might be that the treaty should become effective in three years. That is a physical event. It might be that the treaty should become effective when Congress appropriates the money to discharge the obligation. That is a political event. Both of them are perfectly valid stipulations in a treaty.

But what I contend is—and it seems to me the Senator must understand me, although he may not agree with me, and if he does not I must at least fear I am wrong—that the provision upon which the treaty is made to depend is an action of the House of Representatives which it has no constitutional power to take. Do I make myself plain? I may or may not be right, but surely there is no excuse for misunderstanding my position.

Now, will the Senator from Wisconsin contend before the Senate that the House of Representatives is empowered by the Constitution to approve treaties?

Mr. SPOONER. No; of course not.

Mr. BAILEY. That is the end of the argument with me.

Mr. SPOONER. It is the beginning of it with me. [Laughter.] The Senator must remember that there is no such provision in this treaty. If there were, it would be folly—

Mr. BAILEY. No such provision here—

Mr. SPOONER. No, sir.

Mr. BAILEY. That this treaty must be approved by the Congress?

Mr. SPOONER. "The Congress."

Mr. BAILEY. Is not the House of Representatives a part of Congress?

Mr. SPOONER. Oh, yes; but it does not follow from that that it must simply be approved by the House. The point of the Senator's argument was that the House was no part of the treaty-making power. That is true. A treaty which the President and the Senate may lawfully enter into would be no better if it provided for approval by the House, but would be an attempt to confer by contract a power upon the House which under the Constitution it does not possess, which it claimed long ago in President Washington's day, but which it abandoned then and has never since asserted.

But a provision that the treaty shall not take effect until approved by Congress is a valid provision unless the Senator takes the narrow view of the word "approved," that it involves a ratification of the treaty by the House and by the Senate as legislative bodies. You will find the word "approved" in the provision of the Dingley Act as to commercial treaties. If that word means

what the Senator seems to think it does, it is bad; there is no sense in it. If it means what I think it means, until the House, where it relates to duties, shall approve by legislation the duty provisions of the treaty, it is entirely harmonious with my contention that it is constitutional. It is a different proposition from that which the Senator was making a moment ago.

Mr. BAILEY. Now, Mr. President, it begins to simplify. The Senator agrees that if the President and the Senate had made a treaty which they had the power to make and referred it to the House of Representatives the reference would be invalid.

Mr. SPOONER. And foolish.

Mr. BAILEY. And foolish; both. I agree with that; but the Senator then maintains the curiously inconsistent position that if the President and the Senate negotiate a treaty which they have no power to negotiate, they can refer it to the House of Representatives for approval.

Mr. SPOONER. The Senator begs the question at issue between us. He says if the President and the Senate negotiate a treaty which they have no power to negotiate—

Mr. BAILEY. The Senator has just said they had the power in one case, and I presume he meant to state the opposite in the other.

Mr. SPOONER. No, sir. The Senator says they have no power. I say they have the power. I admit, for the purpose of the argument, that legislation may be necessary to carry it into effect, and that that legislation must be supplied by a bill originating in the House, whether or not the treaty provides as part of the agreement for that legislation.

Mr. BAILEY. I can state it so that there will be no difference. The Senator from Wisconsin says that if the President negotiated and the Senate ratified a treaty which would be complete by the action of these two departments, then a provision referring it to the approval of Congress would be nonsensical and void.

Mr. SPOONER. I did not say that.

Mr. BAILEY. Of course, I have no right to insist that the Senator did say it when he says he did not, and when he says he did not say it I know he thinks he did not. The Senator has been arguing in a circle, and I have been arguing in a circle simply because I have been trying to follow him. But now let me restate the proposition.

My contention is that the President and the Senate have no power to negotiate a treaty of any kind and refer it to the House of Representatives for approval; and this is not only because the Senate and the President have no power to make such a reference but also because the House has no power to approve a treaty. The limitation is upon the House. Its functions are legislative. It can neither appoint officers of the United States nor confirm such officers; it can neither negotiate nor ratify a treaty. I undertake to say that the President of the United States has as much right to send an appointment to this body for a postmaster in Mississippi and the Senate has as much right to consent to that appointment, with the proviso that it is acceptable to the House of Representatives, as they have to negotiate a treaty with that proviso in it.

Mr. HALE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. I do.

Mr. HALE. It is risky business to interpose in any way between two combatants who are so amply capable of taking care of themselves and their sides as the Senator from Texas and the Senator from Wisconsin.

But I should like to ask the Senator from Texas a question, promising by saying that I agree with him fully, in the most complete way, in his proposition that the provision in the Constitution that the President, with the advice and consent of the Senate, may make treaties is in absolute subordination to the other great proposition which has been inherited by us, maintained by us, and should always be maintained, that the power to originate revenue measures is in the popular branch. I agree with him on that.

Now, admitting that in negotiating a treaty with a foreign power, which is undoubtedly the province of the President, with the approval of the Senate, the treaty-making power is confronted with the necessity of some provision relating to the collection and imposition of duties between the two countries, as the country negotiating with the United States is new. It has no fiscal system. It must have one. It is largely dependent upon the United States. Therefore the treaty-making power is confronted with that necessity. Now, what better method, what method is there that reserves all rights and all propositions and all the features that the Constitution has adopted, than for the treaty-making power, when it is confronted with that necessity, to declare that it does not propose, by the President and the Senate, to make a provision which shall be the supreme law of the land, but that it assigns that subject and that question to the approval of Congress?

As the Senator from Wisconsin says, "approval" is only a word. It is not an approval in the sense of ratification. But will the Sen-

ator tell us, when confronted with that question as the treaty-making power has been, what better, what fairer solution is there than to refer that whole subject to Congress, which includes the House and Senate, and in which the House of Representatives must take the initiative?

I have listened with the greatest pleasure to the powerful speech of the Senator from Texas, and am glad to see that in this matter he has taken so strongly not only the popular but the true ground; but I ask him to answer that question: When the treaty-making power was confronted with this condition, how could it have emerged so successfully as to refer all of that power, and by referring it confer it upon Congress and not attempt to decide it itself?

Mr. BAILEY. The very pertinent and very lucid question of the Senator from Maine presented itself in the Constitutional Convention, and the very considerations which he has urged with so much force were there urged against the exclusive right of the House to originate revenue measures. It is true enough that up to that time there had perhaps never been a reciprocity treaty negotiated by either our own or the mother country; but these arguments as to the inconvenience were thoroughly considered, and it was finally determined that as between the inconvenience of the one and the safety of the other the decision was in favor of safety.

Now, that the House can not by law quite so well adjust the duties as could two diplomats in the secrecy of a personal consultation, I grant you. But notwithstanding that the Constitution makers would not commit it to those two men. They may be able to do it much easier than the House and the Senate, but it was feared that they might not do it so wisely or so justly as Congress will. Nobody doubts that if the House of Representatives were reduced to the size of the Senate it could perform a great many of its functions with more dispatch, not to say with more accuracy, but the rather unwieldy size of it—and its numbers was one of the very reasons which Alexander Hamilton assigned for excluding it from the treaty-making power—can be no sufficient argument for withdrawing from it a power with which the Constitution has clothed it.

Mr. President, the Senator from Maine has long been an honored member of this body, and he has known how to obviate the very difficulty which he now suggests, because, as I recall it, the Senator from Maine proposed a reciprocity amendment to the McKinley bill before even the Senator from Rhode Island had proposed his, and the Senator from Maine then pointed out a very convenient way of making these reciprocal trade arrangements. Indeed, he provided a more convenient way than some of his associates on the other side of the Chamber desired to see adopted. They accepted his method, however, and incorporated it into their law, which was sustained by the court as legal and was shown by its operation to have been practical.

Mr. HALE. Will the Senator from Texas allow me?

Mr. BAILEY. Certainly.

Mr. HALE. I did not mean to intrude into this discussion—

Mr. BAILEY. The Senator does not intrude. I welcome him.

Mr. HALE. The question of the history of reciprocity. Some time during the session it may more legitimately come in. I shall not vote for this bill on account of its being called a reciprocity measure. I shall vote for it notwithstanding that. Reciprocity has traveled very far from the reciprocity of Blaine and Arthur and Harrison—the reciprocity which was then opposed solidly by the party of which the Senator is an honored member and which it has taken up lately. Reciprocity as urged to-day, not as a handmaiden of protection, but as an instrument to emasculate protection, is as far from the original reciprocity as the east is from the west. However, I do not propose to go into that.

What I sought to elicit from the Senator from Texas—he sees everything, not only what he advances and proposes, but what is advanced and proposed by the other side; his mind is clear; he knows what my question meant—is an answer to the practical question, that if a treaty made by the recognized power which shall make treaties is made dependent upon an event, which the Senator admits it may be, what better, what more fitting event, when you come to deal with the question of revenue, all of which provisions must be originated by the House of Representatives, than to make that event the approval of the adoption by Congress, which must be subject to the unvarying rule that all such provisions shall originate in the House?

I ask the Senator would he abandon the treaty-making power? Would he do nothing about it? If the treaty-making power is confronted by that proposition, what better event, I repeat, than to make it dependent upon the action of the entire Congress?

Mr. BAILEY. If I were devising a reciprocity system, to be both practical and constitutional, I would borrow the provisions which the Republican party incorporated into the McKinley Act. They have not only been sustained by the court as constitutional, but I think they were effective in accomplishing their object.

But going to the other branch of the Senator's question, my objection to referring a treaty to the House of Representatives is that the House of Representatives has no more right to approve or disapprove a treaty than it has to approve or disapprove a judgment of the Supreme Court. One would be a judicial function wholly beyond its jurisdiction and the other is an executive function equally beyond its jurisdiction.

Mr. HALE. Has it not a right to originate the proposition upon which the treaty is made dependable?

Mr. BAILEY. I think not.

Mr. HALE. Has it not the right to originate the event which, in the terms of the treaty, is made the one event upon which the treaty shall become operative? I hope the Senator will not stick in the bark, and will not insist that this is a proposition for the House to approve a treaty. That, as the Senator from Wisconsin has said, is silly. Nobody claims that. Nobody has asked for that.

Mr. BAILEY. The treaty provided for it in express words.

Mr. HALE. But when you come to an event which it is declared is absolutely indispensable to the operation of the treaty, an act by Congress, what better can you have than that? I can see none, and that is the reason why I am going to vote for this bill, that all the rights of the great body of popular Representatives of the Government are preserved.

I do not agree with certain Senators here that the President and the Senate can ride roughshod over the popular branch, and that the power, which is given in terms, to negotiate treaties undermines and destroys the fundamental proposition that revenue measures must originate in the House. I do not agree with Senators in that. My education in the House and all my thought and reflection since have been in the other direction. I shall vote for this bill because it has been so amply guarded in that direction that the right of the House is maintained, and the treaty is dependent upon a single event which must be initiated and started and adopted by the House and the Senate as Congress.

Mr. BAILEY. I am delighted to hear both the Senator from Maine and the Senator from Wisconsin stigmatize as senseless or foolish a proposition that the House can approve a treaty. But I desire to say that in doing this they are applying those epithets to this transaction, because in the tenth and last article of the treaty, and in the last paragraph except one, I find these words:

This convention shall not take effect until the same shall have been approved by Congress.

Now, if that is such a senseless thing to require, it seems to me the wisdom of the Senate would have been equal to devising an expression that did not require an absurd and foolish proceeding on the part of Congress.

Mr. President, I feel that the Senate is impatient, as it has a right to be, for the vote. I have already—

Mr. HOAR. I should like to ask the Senator one question before he sits down.

Mr. BAILEY. Certainly.

Mr. HOAR. It is possibly worthy, also, of the consideration of the Senator from Maine. Who originated this revenue measure? The treaty-making power fixes it where no man can amend it. If it is to pass the House of Representatives, the Senator—

Mr. BAILEY. If the Senator from Massachusetts asks me, I say it was originated by the treaty-making power.

Mr. HOAR. Certainly.

Mr. BAILEY. And if this is proper legislation the Senator from Massachusetts is correct in saying that the President and the Senate have a right to make such a treaty.

Mr. HOAR. In other words, have you not got to say that the constitutional provision is filled—

Mr. HALE. No; I do not agree—

Mr. HOAR. I am asking the Senator from Texas. Have you not got to say that the Constitution means exactly what it says; that when you do a certain thing by a bill it shall be originated there, and leave the treaty-making power unaffected?

Mr. HALE. Or, in other words, that the President and the Senate can go on and exhaust the whole subject of raising revenue and leave no opportunity for a bill. That is what the Senator means, if anything. I do not subscribe to that narrow doctrine.

Mr. HOAR. It absorbs the whole subject in the treaty-making power, whatever it is, and they did not originate this measure in the House.

Mr. BAILEY. They did not.

Mr. HOAR. Everyone knows that they did not. It originated in the White House.

Mr. BAILEY. The Senator from Massachusetts is supported by the very first words of the bill:

A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The very title of this proposed act recognizes that there was something behind it, and that which was behind it was originated by the President of the United States.

Mr. HALE. Undoubtedly it was, because—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. I do.

Mr. HALE. Undoubtedly it was, because it was a treaty. Nobody denies that. No part of the Government ever in any way interferes. The President has to initiate a treaty. It can not originate anywhere else. That law is immutable. The President must initiate the treaty. It must go to the Senate for its approval. All through this matter the saving condition of it has been, and we have recognized it, and the President has not protested, that before this treaty can become operative it shall go before the other branch of the Government, the great popular branch, which must initiate not the treaty, but all the law that makes it operative. It must give it life, and it has no life without it.

Mr. BAILEY. Mr. President, I thoroughly agree with the Senator from Maine that a treaty can only originate with the President; and I firmly assert that a revenue measure can only originate in the House of Representatives. It is as unconstitutional for the President to originate a revenue bill as it would for the House to negotiate a treaty; and such a thing as a revenue treaty must be unknown to our constitutional system. I state it over and I am done. If this is a treaty, it could only originate with the President. If it is a revenue measure, it could only originate with the House of Representatives; and, being both in one, it could not lawfully originate with either, and therefore it ought to be defeated.

Mr. CULLOM. Mr. President, if the debate is closed so far as the Senators who have been on the floor are concerned, and if no other Senator is prepared to make a speech or desires to do so, I take the floor, not to make a speech, but to state that in view of the long session to-day and the disposition on the part of both sides of the Chamber, I think, to vote, I will withhold any speech I might possibly be expected to make, and ask for a vote now upon the bill.

Mr. PLATT of Connecticut. Mr. President, I trust I may be permitted one moment, not to make a speech, but in view of the discussion which has arisen here to-day on the right of the President and the Senate to make treaties of this character, to say that I do not agree with the Senator from Wisconsin or the Senator from Texas, or any other Senator who maintains that the President by negotiation and with the ratification of the Senate can not make a treaty affecting customs duties.

There is no opportunity now to make the argument, but I hope at some time to be able to give the reasons for my belief in that respect.

Mr. FORAKER. Mr. President, I rise not to make a speech, because I am one of the impatient members of the Senate desiring to take a vote. I regret, however, that the circumstances are such that I can not at length state the reasons why I agree with the Senator from Connecticut and dissent from the proposition to which he refers, that the President and the Senate can not make a commercial treaty or a treaty affecting the revenue, as well as any other treaty, without consultation with the House, if they see fit to do so. I shall take advantage of the first opportunity afforded me to present arguments in support of my position.

Mr. GORMAN. I ask for the yeas and nays on the bill.

The PRESIDENT pro tempore. The bill is as in Committee of the Whole, and open to amendment. If there is no amendment as in Committee of the Whole, it will be reported to the Senate. The bill was reported to the Senate without amendment.

The PRESIDENT pro tempore. The bill is open to amendment in the Senate. If there be no amendment, shall it be ordered to a third reading? Does the Senator from Maryland desire the yeas and nays on ordering the bill to a third reading or on its final passage?

Mr. GORMAN. On its final passage.

The bill was ordered to a third reading, and it was read the third time.

The PRESIDENT pro tempore. Shall the bill pass? On this question the Senator from Maryland demands the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BEVERIDGE (when his name was called). I have a general pair with the senior Senator from Montana [Mr. CLARK]. I transfer that pair to the junior Senator from Connecticut [Mr. HAWLEY], and I vote "yea."

Mr. GORMAN (when the name of Mr. CLARKE of Arkansas was called). The junior Senator from Arkansas [Mr. CLARKE] is paired on this question with the Senator from Nebraska [Mr. MILLARD]. If present, the junior Senator from Arkansas would vote "nay."

Mr. GIBSON (when his name was called). I have a general pair with the senior Senator from Utah [Mr. KEARNS]. Were he present, I should vote "nay."

Mr. PLATT of Connecticut (when Mr. HAWLEY's name was called). My colleague [Mr. HAWLEY] is unable to be present in the Senate on account of illness. He is paired with the Senator from Montana [Mr. CLARK]. If my colleague were present, he would vote "yea."

Mr. MILLARD (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. CLARKE]. If he were here, I should vote "yea."

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is unavoidably detained from the Senate by reason of sickness in his family. He is paired with the senior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. PETTUS (when Mr. MORGAN's name was called). The senior Senator from Alabama [Mr. MORGAN] is paired with the Senator from Pennsylvania [Mr. QUAY] on this question. If the senior Senator from Alabama were present, he would vote "nay."

Mr. PATTERSON (when his name was called). I am paired with the Senator from South Dakota [Mr. KITREDGE]. I did not hear him answer to his name.

The PRESIDENT pro tempore. He has not answered to his name.

Mr. PATTERSON. If he were present, he would vote "yea" and I should vote "nay."

Mr. PENROSE (when Mr. QUAY's name was called). My colleague [Mr. QUAY] is paired with the senior Senator from Alabama [Mr. MORGAN]. If my colleague were present, he would vote "yea."

Mr. WARREN (when his name was called). I have a standing pair with the senior Senator from Mississippi [Mr. MONEY]. If he were present, I am informed that he would vote "nay." If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. GIBSON. I will state that my colleague [Mr. CLARK of Montana] is paired with the junior Senator from Connecticut [Mr. HAWLEY]. If my colleague were present and voting, he would vote "nay."

The result was announced—yeas 57, nays 18, as follows:

YEAS—57.

Aldrich,	Cockrell,	Hanna,	Perkins,
Alger,	Cullom,	Hansbrough,	Platt, Conn.
Allee,	Depew,	Heyburn,	Platt, N. Y.
Allison,	Dillingham,	Hoar,	Proctor,
Ankeny,	Dolliver,	Hopkins,	Quarles,
Bacon,	Dryden,	Kean,	Scott,
Ball,	Elkins,	Lodge,	Simmons,
Beveridge,	Fairbanks,	Long,	Smoot,
Blackburn,	Foraker,	McComas,	Spooner,
Burnham,	Foster, Wash.	McCreary,	Stewart,
Burrows,	Frye,	McCumber,	Stone,
Burton,	Fulton,	Mitchell,	Wetmore.
Clapp,	Gallinger,	Nelson,	
Clark, Wyo.	Gorman,	Overman,	
Clay,	Hale,	Penrose,	

NAYS—18.

Bailey,	Culberson,	McLaurin,	Taliaferro,
Bard,	Daniel,	Mallory,	Teller,
Bate,	Dubois,	Martin,	Tillman.
Berry,	Foster, La.	Newlands,	
Carmack,	McEnery,	Pettus,	

NOT VOTING—15.

Clark, Mont.	Gibson,	Latimer,	Patterson,
Clarke, Ark.	Hawley,	Millard,	Quay,
Dietrich,	Kearns,	Money,	Warren.
Gamble,	Kittredge,	Morgan,	

So the bill was passed.

Mr. LODGE. Mr. President, I simply wish to say that I did not desire to detain the Senate while the vote was about to be taken, but I hope at some future time to express my dissent from some of the doctrines laid down as to the power of the Senate and the President to make a treaty, holding very different views from those expressed this afternoon, and believing that the President and the Senate have the power to make treaties.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; and it was thereupon signed by the President pro tempore.

HOLIDAY RECESS.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring). That when the two Houses adjourn on Saturday, December 19, they stand adjourned until 12 o'clock meridian Monday, January 4, 1904.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 16, 1903.

COLLECTORS OF CUSTOMS.

Albert R. Day, of Maine, to be collector of customs for the district of Bangor, in the State of Maine. (Reappointment.)

Charles Henning, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island, in place of Charles D. Eddy, deceased.

PROMOTIONS IN THE ARMY—ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Henry R. Casey, Artillery Corps, November 4, 1903, vice Weed, resigned.

Second Lieut. Moses R. Ross, Artillery Corps, November 13, 1903, vice Livingston, retired from active service.

POSTMASTER.

Frank W. Rollins to be postmaster at Ellsworth, in the county of Hancock and State of Maine, in place of Frank W. Rollins. Incumbent's commission expires January 24, 1904.

INTERSTATE COMMERCE COMMISSION.

Joseph W. Fifer, of Illinois, to be an Interstate Commerce Commissioner for the term of six years from March 9, 1904. (A reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 16, 1903.

SECRETARY OF HAWAII.

A. L. C. Atkinson, of Hawaii, to be secretary of Hawaii.

RECEIVER OF PUBLIC MONEYS.

A. W. Gowan, of Burns, Oreg., to be receiver of public moneys at Burns, Oreg.

COLLECTORS OF CUSTOMS.

Edward E. Butler, of Tennessee, to be collector of internal revenue for the second district of Tennessee.

Walter C. Witherbee, of New York, to be collector of customs for the district of Champlain, in the State of New York.

Fred W. Wight, of Maine, to be collector of customs for the district of Waldoborough, in the State of Maine.

POSTMASTERS.

ARKANSAS.

R. L. Floyd to be postmaster at El Dorado, in the county of Union and State of Arkansas.

Joel M. McClintock to be postmaster at Devall Bluff, in the county of Prairie and State of Arkansas.

Edward S. Parnell to be postmaster at Junction, in the county of Union and State of Arkansas.

Nannie H. Savage to be postmaster at Monticello, in the county of Drew and State of Arkansas.

Fidelles B. Schooley to be postmaster at England, in the county of Lonoke and State of Arkansas.

CALIFORNIA.

Harry E. Meyers to be postmaster at Yuba City, in the county of Sutter and State of California.

INDIANA.

Floyd E. Farley to be postmaster at Crown Point, in the county of Lake and State of Indiana.

Edward L. Maudlin to be postmaster at New Carlisle, in the county of St. Joseph and State of Indiana.

INDIAN TERRITORY.

Francis M. Savage to be postmaster at Hartshorn, in the Choctaw Nation and Indian Territory.

KENTUCKY.

Colmore L. Barnes to be postmaster at Elizabethtown, in the county of Hardin and State of Kentucky.

Coleman C. Wallace to be postmaster at Richmond, in the county of Madison and State of Kentucky.

John B. Weller to be postmaster at Bardstown, in the county of Nelson and State of Kentucky.

MAINE.

Frank W. Rollins to be postmaster at Ellsworth, in the State of Maine.

NEVADA.

Charles L. Broy to be postmaster at Eureka, in the county of Eureka and State of Nevada.

NEW YORK.

George B. Harmon to be postmaster at Brockport, in the county of Monroe and State of New York.

OKLAHOMA.

W. T. Judkins to be postmaster at Mountain Park, in the county of Kiowa and Territory of Oklahoma.

SOUTH CAROLINA.

Alfred R. N. Folger to be postmaster at Gaffney, in the county of Cherokee and State of South Carolina.

TENNESSEE.

William M. Bray to be postmaster at Henderson, in the county of Chester and State of Tennessee.

R. C. Couch to be postmaster at Bellbuckle, in the county of Bedford and State of Tennessee.

WEST VIRGINIA.

Robert S. Lovelace to be postmaster at Ronceverte, in the county of Greenbrier and State of West Virginia.

George Porterfield to be postmaster at Charlestown, in the county of Jefferson and State of West Virginia.

PANAMA CANAL.

The injunction of secrecy was removed December 16, 1903, from a convention between the United States and the Republic of Panama for the construction of a ship canal to connect the waters of the Atlantic and Pacific oceans, signed on November 18, 1903.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 16, 1903.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON THE JUDICIARY.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary, and any subcommittee thereof, have leave to sit during the sessions of the House.

The SPEAKER. Without objection, the request will be agreed to.

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LIND. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LIND. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LIND. I have just received a copy of the Minneapolis Journal, one of the leading papers in my State, which, in an editorial, reflects upon the personal relations between the leader of the minority in this House and myself. The editorial is of some length. I will not ask to have it read. It comments upon my committee assignments and in that connection insinuates that the relations between the minority leader and myself are not cordial. Such is not the fact, Mr. Speaker, so far as I am advised and know. Our personal and political relations are cordial. Besides that, the minority leader recommended my assignment to two other committees regarded by this House as more prominent than the assignments which I received.

Mr. PAYNE. Mr. Speaker, I make the point of order that this is not a question of personal privilege. I have no objection, however, to the gentleman proceeding for five minutes by unanimous consent.

Mr. LIND. If the gentleman will permit me to finish my sentence, that is all I desire to say.

Mr. PAYNE. The gentleman states no question of privilege.

The SPEAKER. Is there objection to the gentleman making a personal explanation? The Chair hears none.

Mr. LIND. I desire to make no further explanation. I think it is a matter of privilege when a Member's relations with his party leader are impugned.

The SPEAKER. The Chair does not agree with the gentleman touching that matter, but the gentleman is proceeding by unanimous consent.

Mr. LIND. I will not pursue it any further, except to state the fact which I have from the gentleman from Mississippi [Mr. WILLIAMS], as well as from the Speaker himself, that the gentleman from Mississippi [Mr. WILLIAMS] recommended my assignment to the Committee on Labor, which assignment could not be made by the Speaker, it seems, and likewise recommended my assignment to the Committee on Naval Affairs, in which recommendation the Speaker did not concur.

PENSION APPROPRIATION BILL.

On motion of Mr. VAN VOORHIS, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. 6758, the pension appropriation bill, with Mr. OLMSTED in the chair.

Mr. VAN VOORHIS. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. GIBSON] one hour.

The CHAIRMAN. The gentleman from Tennessee [Mr. GIBSON] is recognized for one hour.

Mr. GIBSON. Mr. Chairman, the bill now before the committee is entitled "A bill making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes." For the last four or five days this committee has been entertained with speeches upon almost every matter of political debate other than the subject-matter of this bill.

I know it is very easy and very interesting for a member to discuss the Panama question and the tariff question and the general politics of the country. It is a tempting opportunity. So far as I am concerned I have been interested in the isthmian canal question for over forty years. I remember well when the question came prominently to the front at the close of the Mexican war.

THE PANAMA CANAL.

I have always favored the canal and have twice spoken on this floor in behalf of a canal, and so far as the great mass of the American people are concerned they have favored a canal across the Isthmus. For the last fifteen years it has been a question of choice of routes other than at Panama for the reason that the French company had already preoccupied Panama, and the only other route that was at all feasible was the Nicaragua route. That is why the attention of the American people has been concentrated upon the Nicaragua route. It was the only one open to the people of the United States. If the Panama route had been equally open, I take it there never would have been any question as to which route we would have selected.

The best engineers of the world are agreed that the Panama route is by far the best, by far the cheapest to construct, and the cheapest to maintain. But when Panama was in the hands of the French company, we had to look elsewhere, and, looking elsewhere, finally concluded that the Nicaragua route was not the best, but the next best; and as we could not build by Panama, we at last concluded to build through Nicaragua.

But at last the chance came to us to build through Panama, and the American people, as represented in the Congress of the United States, after considering the pros and cons, and investigating the matter in all its bearings through the instrumentality of the most competent agencies, decided by an overwhelming vote in favor of the Panama route. President McKinley favored the Panama route, and President Roosevelt and his Cabinet favor the Panama route. Without going into any details of the many questions that have sprung up in the last two months, it is sufficient to say that we now have an opportunity to construct that canal by the Panama route, which is the best route, according to the deliberate judgment of the Congress of the United States and in the opinion of the best engineers of the world.

PRESIDENT ROOSEVELT RIGHT.

It would be an act of childishness when we have the best route on which to construct the canal, and the very opportunity we have been so long praying for, that we should now stop to fuss about the circumstances whereunder and whereby we have obtained the territory and the right to build, like a spoiled child that cries for an apple, and when the apple is at last given it, in a fit of petulant anger, throws it upon the ground. Mr. Chairman, we are in no danger of acting the fool in this matter. A few politicians may fume and froth, and roll their eyes, and tear their hair, and swing their arms frantically, but in the judgment of the vast majority of the American people President Roosevelt has done a wise thing, has done a prudent thing, in recognizing Panama and negotiating the treaty for the canal, and he has done it in the right way and at the right time, and I doubt not, Mr. Chairman, that if a Democrat had been in the Presidential chair he would have done exactly the same thing. It ought not to be a political question, and I am glad to know that there are enough patriotic Democrats to take this question out of the domain of politics and make it an American question—a question as broad and as long as our whole country, as deep as our patriotism and as high as our aspirations.

TARIFFS NECESSARY.

So far as the South is concerned, it is prospering to-day under Republican tariff legislation, prospering as it never prospered before. Now, does the South want to continue to prosper under a Republican isthmian canal, when that canal will make more for the people of the South than for the people of the North? It ought not to be a question of politics; ought not to be a question of North or South, or of East or West. We ought to broaden ourselves into the magnitude of an American and elevate ourselves to the height of a patriot, and consider that we are legislating, not for a section, but for a nation; not for a campaign, but for a hundred years. [Applause.]

So far as the tariff is concerned, my views on that question are well understood by the House and by the people of my district and State. Nobody can argue successfully against the tariff. Tariffs are necessary to raise revenue to run the Government, and at the same time protect American labor. Tariffs are like our suspenders, apt to be too tight in some places and too loose in others; but Uncle Sam needs them to keep up the expenses of the Government—and his breeches. [Laughter.]

It is not profitable now to discuss the details of the tariff; and as a result I have nothing to say on that question. Whatever party comes into power it will be obliged to enact a tariff law of some sort; and our Democratic friends now agree that the tariff in the main is right, and say that if they get in they will remove only a course or two of the bricks on the top of the wall. [Laughter.]

PENSION APPROPRIATIONS.

What is the question, then, before this committee? It is a question of pension appropriations; and on that matter I propose to make a few remarks. In a short time we will have before the House bills on the Calendar granting special pensions to particular persons. In order to obviate some of the discussion that may then arise and consume precious time, with the favor of the House I will say a few words on the subject of special pensions. I think there is an idea prevailing in the minds of a great many very excellent gentlemen that we are loading the pension rolls down with special pensions.

Now, Mr. Chairman, what are the facts which I have collated from the last annual report of the Commissioner of Pensions? How many pensioners are there? Nine hundred and ninety-six thousand. How many by special act of Congress?—5,676. Only five thousand six hundred and seventy-six pensioners to-day on the roll by special acts of Congress, out of 996,000, and only 2,924 of them soldiers, the others being widows.

To what class do they belong? To the war of 1812, eighteen pensioners—one soldier and seventeen widows. Of all the mighty host of over 600,000 men that went into the war of 1812-1814, or I ought to say 1812-1815, for the war did not end until 1815, although the treaty was concluded in 1814. The battle of New Orleans was fought in 1815. Of all that mighty host of over 600,000 men only one soldier pensioned by special act.

Then take the numerous Indian wars we have had. The Creek war, the Florida war, the Black Hawk war, the wars with the Sioux, with the Apaches, with the Comanche, with the Navaho, with Captain Jack and the Modocs, and the wars with other Indian tribes, in which first and last 100,000 soldiers were engaged. How many men are pensioned by special acts on account of these wars?—32! How many widows?—48. Only thirty-two men pensioned by special acts out of the 100,000 engaged in our Indian wars!

PENSIONS BY SPECIAL ACTS.

How about the Mexican war? One hundred and thirty-two soldiers and 88 widows pensioned because of the Mexican war. One hundred and thirty thousand soldiers and sailors in the Mexican war and only 220 people put on our pension rolls by special acts because of that great war—a war lasting two years and in an unhealthy climate.

Now come to the civil war. There are now on the pension roll 2,924 men by special acts of Congress—only 2,924 men out of the 3,000,000 who served upon the Federal side from 1861 to 1865. And yet, Mr. Chairman, the men south of the Ohio, and north of the Ohio, and east of the Mississippi, and west of the Mississippi who read some of the speeches printed in the CONGRESSIONAL RECORD would imagine that there were a half a million of men and a quarter of a million of widows on our pension rolls by virtue of special acts of Congress. How many have been on the pension rolls in the aggregate, men and women, from the foundation of our Government to the present day, one hundred and twenty-six years, by virtue of special acts of Congress? Just a little over ten thousand, nearly one-half of whom are in their graves.

Why, Mr. Chairman, the men and the women that are pensioned by special act of Congress often die before the pension certificates reach them. It is sufficient to say that the average life of a soldier pensioned by special act does not exceed ten years. Think of it! What does it prove? It proves that the men so pen-

sioned are so disabled as to be near death's door, and only live a few years after they are pensioned.

PENSIONS A MATTER OF PATRIOTISM.

Now, I beg of Congressmen—I was going to say on this side of the House and on that side of the House—but, Mr. Chairman, on the question of pensions, on this question of patriotism, there should be no sides in the American House of Representatives. [Applause.]

I take advantage of this occasion to say, as a member of the Committee on Invalid Pensions, that the Democratic members of that committee, and an overwhelming majority of the Democratic members of this House, have stood up nobly and valiantly and patriotically in behalf of the pension legislation that has been proposed in behalf of the surviving Union soldiers and the widows of those who are dead. I consider it a complimentary thing to the patriotism of this House that we have spent five days on a bill that proposes to appropriate \$138,000,000 to pay the pensioners of our country, and not one man has arisen in this House to say one word against it.

THE PENSION ROLL A ROLL OF HONOR.

We hear no more talk of pensioning "deserters," no more talk of pensioning "coffee coolers," "bounty jumpers," and "camp followers." Those words that were such a slogan in politics in days gone by have fallen into "innocuous desuetude," and we hear no more of them. They never were truthful, they always were calumnious, and, rightly understood, always discreditable to the men who made the accusation. No deserter has been pensioned since I have been in Congress so far as I know, and my means of information have been good. And, Mr. Chairman, we hear no more talk of "pension frauds." The old soldiers have lived down that cruel slander. The pension roll has been declared by the nation to be a "Roll of Honor." The slanderers no longer bark at it in the open, and only a few of them are left to growl and whine in their foul dens.

Mr. Chairman, when the pension committees bring up their special bills, which will not be until after the recess, I hope and pray that the average Member of the House will consider it a patriotic privilege that he has the opportunity, by his vote, to contribute somewhat to smoothing the pathway of some old soldier or soldier's widow to the grave. The record and the facts I here present show that the average life of a pensioner who obtains his pension by special bill at this late day does not exceed ten years. Many of them die before we get their bills through the House. Look at the records of the last Congress and the records of the previous Congresses and see how many cases there are where the chairmen of our committee got up and said, "Mr. Chairman, I move that that bill lie on the table; the claimant has died since the bill was reported."

SERVICE PENSIONS.

There is another matter that this House will probably be called upon to consider, and that is the question of a service pension; and I want to submit a few figures on that question from the report of the Commissioner of Pensions. According to the report of the Commissioner of Pensions there are about 200,000 ex-Union soldiers now living and not on the pension rolls. When we consider, Mr. Chairman, the age of the Union soldier and the infirmities consequent upon age, and when we consider the inclination of a man to get what the Government offers to him, I question very much whether there are as many as 100,000 ex-Union soldiers not drawing pensions to-day. But let us put them at 100,000. A great many of them never served ninety days and a great many of them have defective records, and these two facts explain why many men are not applying for pensions. But put them at 100,000 and how will it figure out? There are 37,000 soldiers now drawing pensions at \$6 a month. Suppose we raise them to \$12; that adds \$2,664,000 to the annual pension payments.

There are 34,000 soldiers drawing \$8 a month; put them up to \$12, and that adds \$1,632,000 to the annual pension payments. There are 24,000 soldiers drawing \$10 a month; put them up to \$12, and that will add \$576,000 to the annual pension payments. Adding these three classes together, the aggregate is \$4,872,000 added to the annual pension payments. Now let us suppose there are 100,000 men not drawing anything who would be pensioned under a service law giving every one of them \$12 a month. That would add \$14,400,000 to the annual pension payments. But, Mr. Chairman, when we cut out the men who served less than ninety days—when we cut out those with defective army records—when we limit the age to 60 years, and perhaps require them to have served six months in the Army, how many thousand do you think a conservative service pension will add to the pension roll? It will never add 50,000 names. Before they all get on that roll 50,000 of those now on will drop off by death.

SERVICE PENSIONS NOT BURDENSOME.

I say the year has come and ought not to be allowed to end—the day has come and the clock ought not to be allowed to strike again, if it be within the power of this House under parliamentary

rules, without our adding to our pension roll the name of every ex-Union soldier with an honorable discharge who served six months or more and is sixty years of age or over. The country can stand it—the country will never know it. Mr. Chairman, when we get to appropriating \$138,000,000 a year for pensions, the people of the United States do not care a nickel whether it is ten millions more or ten millions less. This pension appropriation never has hurt our country. It goes into every section. It is taken out of the pockets of the rich and put into the pockets of the poor. It is taken out of the pockets of those who have prospered—the result of the prosperity of our country—and is put into the pockets of those who saved our country that it might be prosperous.

It goes into the pockets of the widows of those who now sleep under the sod, having given their lives that our country might keep its life. We honor those who are dead when we honor those who survive.

Four hundred thousand men,
The brave, the good, the true,
In tangled wood, in mountain glen,
On battle plain, in prison pen,
Lie dead for me and you.
Four hundred thousand of the brave
Have made our ransomed soil their grave
For me and you, for me and you.

I have no patience and no sympathy with the men who will go into vulgar fractions in order to find a way to prevent the men who served in the Federal Army from 1861 to 1865 from obtaining such a pension from the Federal Treasury that in their last days, when they behold the last sun setting upon their lives and the flag of their country still high in the heavens, they may feel that that country which they stood by in her hour of need is now standing by them in their hour of need. [Applause.]

So far as I am concerned, Mr. Chairman, I know where I stand on this issue; and I hope there will be enough gentlemen on both sides of this House when that question is presented to give the ex-Union soldier who served six months and has an honorable discharge a service pension of \$12 a month.

JUSTICE TO SOLDIERS' WIDOWS.

Now, Mr. Chairman, I want to say a few things in reference to widows' pensions. The surviving Federal soldier has his vote; he can call his Congressman to time; but the widow has no vote, and she can not call anybody to time, but everybody is calling her to time. I lay down the broad assertion that there are undue obstacles placed in the way of the widows of our soldiers in obtaining their pensions. In many cases the widow dies and her children are in the poorhouse before her pension is allowed.

And no wonder, Mr. Chairman, when you consider the ordeal through which she has to pass. The first thing she is called on to do is to prove the death of the soldier. That is not always an easy thing; for there are cases in which a soldier, before his death, goes to some new section of the country to make his home. We are a migratory people; we are moving about from place to place. This is a very great country. Plenty of my people go West—to Texas, California, Oregon. And the soldier thus leaving the place where he has resided in many cases never returns. The widow waits seven years. Congress passed an act about eight years ago providing that the unexplained absence of the soldier for seven years should be proof of death when his wife or widow was applying for a pension, and providing that if it should turn out the soldier was living, the pension granted under the act should terminate.

What does the Pension Bureau say? They say that this act is simply in affirmance of the common law, and so the Bureau has made no change in their ruling. In short, the Bureau has repealed the act of Congress.

Well, after she has proved the death of the husband, what is she next called on to do? To prove she was married to the man. She has to produce a record, or the testimony of persons present at her marriage. She may have been married in my district, or in South Carolina, or in North Carolina, which frequently happens, and have moved to Texas, and the soldier died there. This was so in a case which was recently brought to my attention. The soldier had been married before and divorced, but the courthouse had been burned down and the record of the divorce destroyed. What was she to do? She had been married to the soldier many years, and had a large family by him—all poor. In this case my friend Judge Sheppard, father of the present Representative from that district, was kind enough to introduce a special bill to pension the woman, and Congress passed the bill without objection.

ARBITRARY EVIDENCE REQUIRED.

What ought to be the law, Mr. Chairman? The same sort of law that the probate court acts on, namely, to bring up two or three neighbors who will show that this woman was reputed to

be the wife of the dead man, reputed by her friends and neighbors as such and had been living with him as his wife for years, upon which the probate court declares her the widow, gives her a year's support, and assigns her dower. What does the Pension Bureau say? Nay, Pauline; nay; we want more [laughter]; we want a record, we want witnesses that were present and who saw you married! Well, suppose she gets those, what then? Why, she must prove by witnesses who have known her all along the line that she never was divorced from him. That is a requirement of the Pension Bureau—never divorced. She has to prove a negative. What next? She gets up affidavits of witnesses. That is not an easy thing to do where we have a migratory population.

Here are a Tennessee man and woman—a soldier and his wife—who have moved to Kansas, or to Arkansas, or Texas, and who have been there twenty years. How is this widow going to prove these things—a lone widow, surrounded by five or six children in her distress, perhaps among strangers—how is she going to prove, by at least two credible witnesses, that her husband never was married before he married her, and that she never was married before she married him? Remember most of these marriages occurred thirty or forty years ago. What next? I want to read in this connection a case to show you the atrocity and absurdity of this ruling. It is the case of Selena Brewer, wife of Daniel Brewer, Company E, Third Tennessee Mounted Infantry, claim No. 590484. This woman was 80 years of age, and she was called on to prove, by two or more credible and disinterested witnesses who had known her continuously ever since 1832, when she was 16 years old, that she had never been married before she married the soldier, or, if married, had never been divorced from him.

THE ORDEALS OF DELAY AND DEATH.

Well, what next? Then she is required to file an affidavit of every service that her husband had been engaged in before his alleged muster and after the date of his alleged discharge. How can she swear what service he was engaged in before his alleged muster? What next? When the Congressman calls up the case to learn its status, he is told, We are awaiting answers to letters of inquiry addressed to persons supposed to have knowledge of the facts! How long does she have to wait, Mr. Chairman? A year, or until the Congressman, outraged, goes to the Bureau and demands that that case shall be acted upon. What then? Oh, it is sent to "the field"—put in the hands of a special examiner, who perhaps has 100 cases already in his hands. It lingers there another year, and the special examiner—that is, the average special examiner—thinks that he is doing God service and himself service if he can recommend a rejection. Every case that he turns down he considers an additional star in the crown of his glory. [Laughter.] Finally the case goes to the bureau of adjudication; and I believe I will read a thing or two out of the Commissioner's report, because it may be that the average Member will hardly believe it.

According to the report of the Commissioner (and it is only a statement of rules that have been in existence in the Bureau for many years), after a case has passed the adjudicating division, it then goes to the board of review for its concurrence. Within the board of review is a re-review section, where claims receive another consideration before final action, and after it passes the board of re-review there is also an appeal section. Now, the Commissioner says, it has to take all of those steps before a claim is rejected. Oh, no, Mr. Commissioner, not before it is rejected. Strike out the word "rejected" and insert "before it is allowed." Before it is allowed it must take all of those steps. The Commissioner should have inserted the words "or allowed" after the word "rejected."

Every case takes this course, whether rejected or allowed. Finally, after the lapse of years, the certificate issues, if it ever issues, goes to the widow's post-office, and oftentimes is returned by the postmaster with a statement that the widow is dead, or, if not dead, she and her children may be in the poorhouse. Yet we are supposed to be here for the purpose of seeing, among other things, that the widows of the soldiers receive justice at the hands of the Government, whose life those soldiers died, it may be, to help to save.

OUR DUTY AS CONGRESSMEN.

Now, there are bills proposing a remedy for these things before the Committee on Invalid Pensions, and, as I remarked to some gentlemen a few days ago when we were discussing these things, we are not a lot of politicians at a crossroads store, whittling and telling yarns and spitting around, and suggesting changes in the laws; we are Congressmen, clothed with the duty and the responsibility of attending to these matters and righting these wrongs, of smoothing the ways of the soldier's widow and not forgetting the soldier himself.

I hope, Mr. Chairman, that when the record of the Fifty-eighth Congress is made up there will be found shining like a gorgeous

jewel in its heart a statute which will enable a widow to get her pension within three months after her husband dies. Then let the Bureau make an investigation if it wants to; let them dig up the past; let them call for the records, and if they can turn her down let them do so. But do not hold the widow off until she and her children are forced into the poorhouse just because, as a prominent pension official said to me the other day, "We sometimes discover that she is not the lawful widow." In order to give the Bureau a chance to discover that she is not the true widow it must hold up the just claims of thousands and thousands of lawful widows and deprive them of their legitimate dues from the Government of the United States.

There is a maxim quoted by criminal lawyers that it is better for ninety and nine guilty men to escape than for one innocent man to suffer; but the Pension Bureau seems to think it is better for ninety and nine innocent widows to suffer than for one guilty widow to escape.

SUFFERINGS OF THE SOLDIER'S WIFE AND MOTHER.

Mr. Chairman, we do not always appreciate the sufferings of the wife who has a husband, or a mother who has a son, absent in the Army in time of war. In silence and sorrow she toils through the day to clothe and feed the family, and at night she bathes her pillow with tears, grieving for the absent one, and haunted by fears of his death or illness. Well has the poet described the grief of the sweetheart, the wife, and the mother in parting with the soldier they may never see again.

The maid who binds her warrior's sash
With smile that well her pain dissembles,
The while beneath her drooping lash
One starry tear drop hangs and trembles,
Though Heaven alone records the tear,
And Fame shall never know her story,
Her heart has shed a drop as dear
As e'er bedewed the field of glory!

The wife who girds her husband's sword
Mid little ones who weep or wonder,
And bravely speaks the cheering word,
What though her heart be rent asunder,
Doomed nightly in her dreams to hear
The bolts of death around him rattle,
Has shed as sacred blood as e'er
Was poured upon the field of battle!

The mother who conceals her grief
While to her breast her son she presses,
Then breathes a few brave words and brief,
Kissing the patriot brow she blesses,
With no one but her secret God
To know the pain that weighs upon her,
Sheds holy blood as e'er the sod
Received on Freedom's field of honor!

Mr. Chairman, all honor to the soldier who goes to the front, and endures labors, privations, and disease, and faces death in many shapes on guard, on picket, and in open battle; but let us not forget the honor due the toiling, sorrowing wife and mother at home, willing to sacrifice her husband or her son for the sake of her country. Let us ever honor the soldier's widow, and let us not allow her to suffer by unreasonable delay in getting her pension.

So, Mr. Chairman, I say in conclusion, I hope this Congress will pass a law providing for a service pension at the rate of \$12 a month. The country can spare it and will never know the difference; but the men who ought to know the difference will know it. And I hope this Congress will pass another law, providing that the claims of widows shall be adjudicated upon proof of marriage to the dead soldier and his death, and that she was cohabiting with him and recognized by reputable friends and neighbors as his lawful wife shall be deemed proof of marriage. When that is done, justice will have been done. Until that is done justice will be denied. Don't let us forget that justice delayed is justice denied. I hope that the Fifty-eighth Congress will see that justice is done and done quickly. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

Joint resolution (S. R. 24) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Luis Bográn H., of Honduras.

Senate concurrent resolution.

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department.

The message also announced that the Senate had passed with amendment joint resolution of the following title; in which the concurrence of the House was requested:

Joint resolution (H. J. Res. 66) in relation to commuted rations for midshipmen.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. SMITH of Kentucky. Mr. Chairman, I now yield fifteen minutes to the gentleman from New York [Mr. BASSETT].

The CHAIRMAN. The gentleman from New York [Mr. BASSETT] is recognized for fifteen minutes.

Mr. BASSETT. In Brooklyn, which in part I represent, there is undoubtedly a strong sentiment in favor of the isthmian canal. I do not understand that either there or here it is to any extent a party question, and I do not understand that it ought to be. I do not believe, and I do not believe that the people of my locality and the State of New York believe, that it should be a party question, because this great beneficent work is wanted by all, regardless of party.

But, Mr. Chairman, I do know that the people of my city, and not only there but throughout the country and right here in this House, on the other side as well as this, want to know that the steps by which the isthmian canal is obtained are founded upon just rules of practice and morality, upon the same rules of conduct that are expected of private individuals and which they are supposed to use in transacting their own affairs.

I believe that the position of my party, as well as the position of people regardless of party all over this country, is that they are waiting to know and they want to know whether the steps that have been taken and are being taken in regard to the canal treaty are founded upon justice and right. They want success, but they do not want success that is obtained in any manner excepting through those fundamental principles of right that we followed during the early days of this country, and that ought to be followed now.

They want to know whether the formation of the new Republic of Panama was assisted to any extent by the responsible agents of this Government or by its controllable employees. It is right that they should know, and they have a right to suppose that the Administration, which is in a position to know these facts before it acts, should act upon the rules of justice in deciding them. They also wait to know and want to know whether at the time the Panama Government was recognized it had attained the fair position of an independent state.

The facts controlling the moral proposition were known to the Administration fully and before others could learn, and the country has a right to presume that the Administration acted upon the moral right of that question. The disposition and desire is to support the Administration. The country waits to know and it wants to know whether the Republic of Panama at the time the Administration said that war against Panama would be prevented on the Isthmus by the force of the United States, and under the treaty of 1846, had obtained its independence from Colombia, either by exceptional facts of relative position or by its power to hold its own, or by reason of such an extreme and peculiar argument for rebellion as would appeal to all civilized nations and justify protection from them.

The people want to know whether that new country had founded its independence so firmly that it was right and just for this country to consider that the treaty of 1846 applied to Panama as the possessor of the soil of the Isthmus instead of to Colombia.

These are questions the answers to which the country waits to know, and as a member of the minority party I have the right to stand here and ask that it be shown that the facts square with right, without being open to the accusation of hostility to the proposed treaty.

In the early days of this Republic, James Madison said that the strength of the Republic was founded on doing justice, and certainly in the days of the greatness of this country we can afford to place the acts of the country upon that same foundation of justice and right.

These questions, it seems to me, are simple, and because they are simple they are sometimes passed over. The people of the country are not only anxious for success regarding the canal, but they want success to be founded upon right means, and the main anxiety of the country, the main interest of the Democratic party, is to be sure that the Administration is proceeding in accordance with those same rules of moral conduct which are expected from individuals.

It is very easy to consider that success justifies. Success, Mr. Chairman, does not justify anything that is done by individuals or by government. Success is only justified when it is reached through means that are founded upon justice.

This moral feature of the Panama question, it seems to me, although simple, if facts could be fully known, is very important. The public conscience is not dull. The people are alert on a question of right and wrong. We support the President. But it is not out of place to state now and then that progress must be founded on right, and that the people have the right to assume

that governmental progress is so founded. The public suspect, and in some cases know, that the trusts do not act upon those same rules of moral right which are expected from individuals.

There has been a tendency during recent years to let down the standard of right action and justify results by success. The Government should especially set an example of conduct that can be justified by the same rules of moral right which we expect from individuals.

When the National Government, which is keenly watched, is respected, is supported by the people of a great country like this, adopts short cuts toward getting at a conclusion, whether that conclusion is success or not, it has an effect upon the people of the country, and that effect is to lower the standard of integrity. It is better sometimes not to succeed than to succeed in a way that dulls the moral sense of the people of a nation. Ill fares the land where wealth accumulates and men decay.

The great success of France during the reign of Louis XIV was marked by the Government departing from the rules of justice and acting according to the rule that success justifies; and although the nation was increasing the people were decaying.

In the time of the early Stuarts in England everything appeared to be progressing, yet because the example of the Government at that time was not the practice of the same rule of morals that is expected of individuals the people were affected, their ideals lowered, and the moral fiber weakened, and not until the Commonwealth, under Oliver Cromwell, was that country put again upon a safe basis of moral right.

Success does not justify, because a nation is not growing great unless the people of that country are retaining their perception between what is right and what is wrong. If this Government, that should be a light to the people of other nations and an example to the people of this country, shall act under any other rules than those founded on justice, it is then cutting from the standard of moral sentiment of the people.

These considerations I present, Mr. Chairman, and although simple are yet fundamental. I believe that the greatest questions of government are after all simple questions, and those who regard them from their intricacies and in their details sometimes are more apt to err than those who look upon the general and simple aspects.

There is no general adverse opinion among the people or in our party against the Panama Canal, but there is the utmost anxiety and solicitude to know that success, if attained, is rightly and fairly attained. We can always afford to wait to do things right.

With Madison, we want the strength of this Republic to be founded upon doing justice. [Applause on the Democratic side.]

Mr. SMITH of Kentucky. Mr. Chairman, I now yield one hour to the gentleman from Arkansas [Mr. DINSMORE].

Mr. DINSMORE. Mr. Chairman, there is no probability, I think, that I shall consume all the time so generously yielded to me; but inasmuch as probably everything has been said which can be said to justify the action of the Government with reference to the recognition of the new Government in Panama, and inasmuch as I am responsible for bringing the discussion of that subject before the committee at this time, I shall ask the indulgence of the committee for a brief interval while I attempt in such manner as I may be able to command to respond to the positions assumed by gentlemen upon the other side of the question.

The President of the United States and his Administration are very fortunate in having for champions to espouse their cause the very able gentlemen who have done so upon this floor. The distinguished and able chairman of the Committee on Foreign Affairs [Mr. HITT], thoroughly skilled in diplomacy, profoundly read in international law, having a familiar knowledge with the whole history of our country, is as capable a person as could have assumed that task. It is safe to assume that he would not leave anything unsaid that could be said in support of the course pursued by the Government.

He did me the honor to listen to the remarks which I made upon a former day in this committee, and to reply to me in a most admirable address—plausible, rhetorical, skillful, and adroit—and I wish, Mr. Chairman, to join in the general commendation of the excellence of his speech, as strong a speech as could have been made in support of his contention, a contention which I regret is an unfortunate one—the position assumed by our Government I can not but believe an unfortunate one, fraught with evil for the country.

But the gentleman from Illinois [Mr. HITT] and other gentlemen have seemed somewhat irritated by the language which I used when I had the honor to address the committee hitherto, and the gentleman from Illinois criticised me for using language which he considered too strong and not sufficiently respectful. He said that I had characterized the action of the Government as "lawlessness" and "crime." The honorable gentleman was not accurate in that accusation, Mr. Chairman. He did not hear, in what I uttered on that day, the use of the word "crime."

The gentleman from Illinois knows what crime is. I used no such expression, nor did I use language which imputed crime. He said I charged lawlessness against the Administration. If the meaning of this expression is to be given which is frequently given to it—a general condition of lawlessness—that is not accurate; but if, on the other hand, the true meaning was intended to be given to the term "lawlessness"—the act of violating the law, a disregard of the law—then the gentleman was warranted in his statement to the House that I had accused the Administration of lawlessness.

It is difficult, Mr. Chairman, when we attempt to describe an act which in itself is wrong to use such expressions as shall be entirely agreeable to the ears of the wrongdoer or his friends. If I was unfortunate, I regret it; but with due care I hope to be able to keep myself within the bounds of proper expression. I did conscientiously describe the act, as I understood it, which was done; and if gentlemen are not pleased with that they can not blame me for it, but must charge it up to the wrongfulness of the act itself which demanded such description.

Lawlessness! Why did I say it was unlawful? Because it was in palpable violation of the enactment of the Legislature of the United States, of a law which had received the sanction of the President by his signature and approval. I made this accusation, and the gentleman from Illinois made scarcely a serious effort to disprove it; the gentleman from Pennsylvania admitted it. He admitted that the President did act in violation of the law of Congress. Then, if he did, may we not properly charge him with lawlessness to that extent? Do I quote the gentleman from Pennsylvania correctly? Examine the RECORD of this morning and find his remarks. They are printed in the morning RECORD. I propounded to the gentleman a question as follows:

Mr. DINSMORE. Will the gentleman yield for a question?

Mr. ADAMS of Pennsylvania. Certainly.

Mr. DINSMORE. The gentleman has stated that the President was given "reasonable time" in which to effect an agreement by which the canal should be built across the Panama route. I would like him to state to the House what the President was to do under the law in case of failure, after a "reasonable time," to effect that agreement with the Colombian Government. What, according to the provision of law, was the President required to do in that case?

Mr. ADAMS of Pennsylvania. I state frankly that it was provided that in case of a failure of the negotiations of Panama within a reasonable time the President was to proceed to build a canal by the way of Nicaragua. The very choice of the words, "a reasonable time"—and they were chosen after mature judgment—was for the purpose of putting the President in such a position that if the project of a Panama Canal should fail he should then be obliged to build a canal by way of Nicaragua.

Here is an admission by the gentleman from Pennsylvania, a champion of the Administration, that the law had been expressly constructed to leave no discretion to the President of the United States, but to require him, upon failure after a reasonable time to effect the direction of Congress with Colombia, to construct a canal along the Nicaraguan route.

Mr. ADAMS of Pennsylvania. Will the gentleman permit me?

Mr. DINSMORE. Certainly.

Mr. ADAMS of Pennsylvania. Will the gentleman do me the favor to read a little further along and not stop just where he did?

Mr. DINSMORE. Ah, Mr. Chairman, I have not the time to read all of the gentleman's speech.

Mr. ADAMS of Pennsylvania. No, the gentleman has not time in this particular.

Mr. DINSMORE. Does the gentleman from Pennsylvania deny that he used the language?

Mr. ADAMS of Pennsylvania. No.

Mr. DINSMORE. Is not the language specific? Is it not direct? Did he mean what he said? He says that the law was constructed so as to leave the President of the United States no discretion, but to require him to construct a canal along the Nicaraguan route if after a reasonable time he was unable to secure an agreement with Colombia for the Panama route.

Mr. ADAMS of Pennsylvania. After it had failed; and if the gentleman will read on he will see that I said it had not failed; that the President would have been criminal if he had not carried out the mandate of this act.

Mr. DINSMORE. Does the gentleman say that it had not failed?

Mr. ADAMS of Pennsylvania. I said so, and I said so in my speech, but the gentleman only reads a part of it.

Mr. DINSMORE. I do not want to do the gentleman from Pennsylvania injustice. The gentleman can read that part himself.

Mr. ADAMS of Pennsylvania. It is like reading half of a quotation and leaving out the other half.

Mr. DINSMORE. I can not take the time, Mr. Chairman, but I have asked the gentleman from Pennsylvania to read it himself, in my time—that part of the RECORD which justifies his position.

Mr. ADAMS of Pennsylvania. Shall I read it now?

Mr. DINSMORE. I shall be glad to have you do so.

Mr. ADAMS of Pennsylvania (reading):

Mr. DINSMORE. Will the gentleman yield for a question?

Mr. ADAMS of Pennsylvania. Certainly.

Mr. DINSMORE. The gentleman has stated that the President was given "reasonable time" in which to effect an agreement by which the canal should be built across the Panama route. I would like him to state to the House what the President was to do under the law in case of failure, after a "reasonable time," to effect that agreement with the Colombian Government. What, according to the provision of law, was the President required to do in that case?

Mr. ADAMS of Pennsylvania. I state frankly that it was provided that in case of a failure of the negotiations with Panama within a reasonable time the President was to proceed to build a canal by the way of Nicaragua. The very choice of the words, "a reasonable time"—and they were chosen after mature judgment—was for the purpose of putting the President in such a position that if the project of a Panama Canal should fail he should then be obliged to build a canal by way of Nicaragua. To that extent the language used in the law was imperative; the President was to have no option.

Here is where the gentleman stopped. I read on:

But it was necessary that the President should exercise the greatest judgment and wisdom, so that when Colombia had rejected the treaty, and when at once a new opportunity arose for carrying out the mandate of Congress, the law should be carried out and the Panama route maintained. Conditions had changed; and I am glad to say the opportunity has so far improved that in the judgment of many, including myself, the President would have been criminally wrong if he had tried to evade the mandate of Congress and not construct this canal by the way of the Panama route.

No wonder the gentleman stopped quoting at the point where he did.

Mr. DINSMORE. My friend from Pennsylvania certainly does not believe that I had any intention to misrepresent him. The fact that I just yielded to him out of my time to read such part of his remarks as showed a different position assumed by him, is evidence that I had no such desire.

But what is his language? He says:

Conditions had changed; and I am glad to say the opportunity has so far improved that in the judgment of many, including myself, the President would have been criminally wrong if he had tried to evade the mandate of Congress and not construct this canal by the way of the Panama route.

But he had failed to secure an agreement with Colombia. He was directed to make the agreement with Colombia and upon failure of this to build the canal by the Nicaragua route. If, as the gentleman says, the President would have been criminally wrong not to obey the mandate of Congress, the gentleman has been more severe on the President than I, for he did fail. He did not obtain an agreement with Colombia, and he did not try to build the canal by the Nicaragua route. The gentleman, admitting his failure and admitting the terms of the law as I have recited, did admit, as I have said, that the President violated the law.

What was the mandate of Congress? I ask the House and I ask the gentleman from Pennsylvania. It was to enter into negotiations with the Colombian Government for the right to construct a canal by the Panama route; and in a case of failure to accomplish that result within a reasonable time, then the President was directed to turn his attention to negotiations with the view of constructing the canal by the Nicaraguan route and to enter upon the construction of that canal—not to do as he did—not to recognize a new government which might give this Government the right or the power to construct that canal by the Panama route. He was to negotiate with Colombia, and if after a reasonable time the negotiations should be a failure, then he was to enter upon the construction of a canal by the Nicaraguan route or to enter into negotiations for that purpose.

So that the remark I made, that the gentleman from Pennsylvania admitted that the President of the United States did act contrary to the express provision of the statute which he had signed, was a correct and just remark as made. "A reasonable time" after what? For what purpose were the words "after a reasonable time" used? To limit the time within which negotiations with Colombia might be conducted for the purpose of effecting the construction of a canal by the Panama route—not a reasonable time after the failure of those negotiations with Colombia, but a reasonable time within which to conclude those negotiations.

The President waited a reasonable time. He waited until he saw that there would be no action on the part of Colombia to authorize us to enter upon this work; and then when he did ascertain that there was to be no consent obtained from the Colombian Government it was his plain duty, under the law, to do what he was directed to do by Congress—not to enter upon a scheme of his own unparalleled in history for the suddenness with which he recognized a new government, called into existence, it would seem, for the very purpose of carrying out the construction of this canal, and not because it was entitled to recognition as a government with sovereign power and able unaided to perform the duties as a government toward its citizens and toward the world.

In this connection I wish to call the attention of the committee to the fact that last night, in New York City, there was, according to the press, a little Panamanian symposium. Certain gentlemen met and regaled each other with their views upon the glorious achievement of the United States in bringing into existence this new government in Panama. The Assistant Secretary of State,

Mr. Loomis, was present on that occasion and made a speech. It is presumable that he was acting, if not under the direction, at least with the approval, of his chief, because in so delicate a matter as this and on a subject of this character he certainly would not presume to go before the public and into print unless he had the approval of his chief, the Secretary of State, or the President. What does Mr. Loomis say in the course of his remarks about this matter of a "reasonable time?"

Mr. Loomis says:

The rejection of the treaty at Bogota was an unfriendly act from the view point of international law. Colombia appealed to us to enter into a treaty to build a canal. The treaty was negotiated with her in the most liberal spirit on our part, and was then rejected by the Colombian Government and Congress without debate. The executive branch of the Government which had negotiated it did not try to secure its ratification.

How the Assistant Secretary of State became informed as to this I do not know. I am not here to defend the Colombian Government; nor to say that the Government of Colombia acted in good faith. That is not a part of the duty which I assume in discussing this question. My only purpose is, if it may be possible, to demand a correct position on the part of our own Government in its relation with foreign countries. This is the language to which I wish to call specific attention.

It became evident shortly after the opening of the Colombian Congress in June that there was not the least intention of ratifying the Hay-Herran treaty.

It became manifest so long ago as in the month of June last, says the Assistant Secretary of State, "that there was not the slightest intention" on the part of the Colombian Government to put into effect that treaty, to ratify it. Does this bring knowledge home to the Administration that the time had come to act? Is not this convicting the Administration out of its own mouth of having intentionally failed to fulfill its duties in complying with the requirements of the law of Congress?

In June last, says Loomis, the Government knew that there was no purpose on the part of the Colombian Government to ratify the treaty. Then, if that were true, the duty of the President of the United States was plain. The provisions of the law are direct and specific. He is directed by the law to enter upon negotiations for the construction of a route by Nicaragua, and he can offer no excuse for failing to do this at the very time that he became convinced that the Congress of Colombia would not ratify that treaty.

But when the time fixed in the treaty itself, which, according to the opinion of the President of the United States himself was defined a reasonable time, and which was ratified and approved by the Senate, September last, had arrived, certainly a reasonable time had elapsed for the Colombian Government to act. There had been failure then, but still the President did not act. What justification follows when the President's own servant, a member of the State Department, tells you that there was not in June last the slightest hope that there would be a ratification of the treaty by which Colombia would give to us the right to construct the canal?

Mr. Chairman, was I justified in saying that the President, in pursuing the course he did, had violated the law, had violated the enactment which he himself had helped to make a part of the law of this land? It is difficult to restrain one's feeling and utterance within temperate terms when we consider an act like this. I would speak respectfully of the President of the United States and of all in high authority in our Government, but there is no reason why I shall not call attention to errors and blunders committed by him—aye, and to a violation of law committed by him, if, as I truly believe, he has broken, has violated the law.

In monarchical countries there is a fiction that the king can do no wrong; but there is no such fiction existing in the United States with reference to our Presidents. We know that that expression simply means that the king shall not be held responsible for his wrongdoing; that if mistakes are made, the ministers of state must take the responsibility; but in the United States, in this great Republic of ours, built up by the hands of a people devoted to a sacred purpose, where liberty was ever the inspiring motive and equal manhood the end sought, there is no place for such sentiment as this. There is no reason where freedom of speech is allowed and exercised to withhold criticisms of the President of the United States when he has done wrong, as I believe he has in this instance, and as, I think, is abundantly proven, even out of the mouths of the people who stand with him and support him and give him their assistance.

But let me make further reference to the speech made by Mr. Loomis last night in the city of New York. He said:

We have no desire to annex Panama, and we have not done so. The President simply executed the will of the American people, with due regard to international law and rights. He was instructed by Congress to secure a canal route on the Isthmus of Panama, if possible. He waited until the adjournment of the Colombian Congress.

In less than a week, and before the President could be reasonably expected to turn to grave consideration of the Nicaragua route, a long-expected and inevitable revolution in Panama came to pass, the people rose as one man, etc.

The President, it seems, had not time to turn to the grave consideration of the Nicaragua route within a week after the adjournment of the Congress of Colombia, but Mr. Loomis tells us that it was known before the adjournment of Congress that there was absolutely no purpose to ratify the treaty. When there was no ratification the President, it seems, had not time to turn to the grave consideration of this question. A week is not sufficient. No, a week is insufficient time for the President to perform a duty which he owes to his own country in strict compliance with the requirements and demands of law, but a week is more than sufficient time for him, with the strong power of our Government, to bring into existence a new republic. Two days is sufficient for that.

But the President acted from another and separate consideration in respect to his conduct in this regard. It seems that notwithstanding that you and I knew nothing about it, notwithstanding the country had not suspected, the President, with the intuition for which he is highly praised by the gentleman who made the speech last night in the city of New York, discovered that there was pending over civilization the happening of a great international cataclysm, and that unless we intervened and took possession of Panama ourselves France would come on with her ships of war and other nations of the earth might follow, and that we might expect the powers of the world to be involved in warfare with each other and with us.

Is this a justification for his violation of the law? Might we not have avoided this in one of several different ways? We have not been unfortunate in appealing to the spirit of arbitration. Our country has made a history in that regard which does credit to our diplomacy, and there is no reason for saying that any question arising with France touching the protection of her interests in Panama might not have been settled by arbitration as other questions have been settled.

If the President had turned his attention to carrying out the direction of Congress by constructing a canal by the Nicaragua route a great deal of intense feeling about the Isthmus of Panama would have been avoided and the public mind put at rest, when we by that means and by that route were about to construct the great artery that was to connect the two oceans and open it to the commerce of the world.

But other considerations are expressed by Mr. Loomis, and I invite your attention to at least this one.

THE GRAVE POSSIBILITIES.

Reflect for a moment—

Says he, in his speech last night—

on the grave possibilities which confronted this Government as it peered into the future and sought to provide intelligently for the many serious complications and contingencies which the President foresaw.

If the revolution in Panama had not occurred; if the American people, guided by the opinions of its most learned, efficient, and highly trusted engineers, continued to think the Nicaragua route an impracticable one; if the people and Congress of this country had insisted that we wait for a year, or until such time as the politicians at Bogota were ready to negotiate a new canal treaty, and in the meantime their Congress had declared invalid the renewal of the French concession, which might have happened on the Isthmus, I may safely assert, without fear of contradiction by any well-informed persons, that the Government of France would not have stood serenely by and witnessed the pillage of thousands of her people through the act which Bogota politicians devised for the looting of the French company of \$40,000,000.

"If the revolution in Panama had not occurred; if the American people, guided by the opinions of its most learned, efficient, and highly trusted engineers, continued to think the Nicaragua route an impracticable one"—here is the language which I wish your mind to dwell upon. The Assistant Secretary of State in this speech assumes that by the most intelligent, skilled, and scientific engineers it has been demonstrated that the Nicaragua route was impracticable, that the people of the United States believed it to be impracticable.

Was it because they believed it to be impracticable that Congress, this House, under the leadership of the very distinguished and able gentleman from Iowa [Mr. HEPBURN], passed a bill requiring the construction of the canal by the Nicaragua route? Was that done without consideration? Was that done without reflection, without due regard for the consultation and advice of great engineers of this country?

Why, Mr. Chairman, it was done after the engineers selected by the Government had declared three times that Nicaragua was a practicable route.

But this gentleman says that the people of the United States, under instructions from the best engineers, did not believe it to be practicable. He says this notwithstanding the action of Congress; notwithstanding the action in the other branch of Congress when, under the Spooner amendment, it was also provided, upon the failure of that, that the President should enter upon the construction of a canal through Nicaragua. If Mr. Loomis is correct, our Government should have secured the advice of more competent engineers. If he was right, Congress—both Senate and House—was forcing upon the country an enterprise costing millions of dollars which was not practicable.

Mr. SIMS. May I interrupt the gentleman to ask him a question?

Mr. DINSMORE. Certainly; with pleasure.

Mr. SIMS. In view of the manner in which this so-called Republic has been brought about and recognized by our Government, does the gentleman favor ratifying the treaty that has been made with that Republic?

Mr. DINSMORE. Mr. Chairman, I am called upon by the gentleman from Tennessee to say whether I favor the ratification of that treaty. I shall reply to him, not in a word, but in extenso. We are called upon to ratify a treaty made with a government which was provisional in form at the time when it was recognized, only a few days afterwards, having its independence guaranteed by us. It was composed in its officials of men who were not citizens, at least not citizens who were imbued with the spirit of patriotism looking to the first interests of the country, but by persons who were there for the purpose of advancing their own schemes to make money.

The independence of that government as a republic was recognized almost immediately afterwards, before it was a republic, before it had any organic law, before it had a constitution, before it had administrative departments to enforce and administer its authority; without the power to protect the rights of its own citizens, much less the rights and interests of the people of the United States.

Should we ratify a treaty with that Republic, made under those terms? I say no. For the honor of my country I say no, not to ratify it. Rather than do this, although the Panama route may be the more practicable, although it would be cheaper to build the Panama Canal than the Nicaraguan Canal, I believe we should maintain our own self-respect and honor as a nation and if need be adopt the Nicaragua route, which is practicable, which a law of Congress ordered to be adopted in case of failure with Colombia for the other, and that this is preferable to the establishment of a republic by forcible intervention by the United States simply to secure a canal, and this in violation of a treaty with a friendly power and despoiling that power of a part of its sovereignty; a republic that could not exist for a day without our sheltering protection.

Mr. RICHARDSON of Alabama. Will my friend from Arkansas allow me?

Mr. DINSMORE. What are an additional \$10,000,000; what are an additional \$20,000,000 to the cost of the Panama route, by which we could have obtained it from Colombia if we had given them sufficient money? What are fifty millions compared to the good name of this great American Republic, its honor, its dignity, and its standing before the world, in the light of a glorious past, of an honorable record, made enduring by our greatest, our most eminent statesmen?

I say we should adopt the other route. The President of the United States, in my opinion, should have done it. It might have been, if he had attempted to do as he was directed by Congress, that means might have opened up by which we might ultimately have acquired the Panama route, if it is more desirable. We can not tell.

Mr. RICHARDSON of Alabama. Will the gentleman allow me?

The CHAIRMAN. Does the gentleman from Arkansas yield to a question by the gentleman from Alabama?

Mr. DINSMORE. If he insists. I should be glad to proceed with my remarks, however.

Mr. RICHARDSON of Alabama. It is simply upon the line of argument of my friend from Arkansas, which he has made most elaborately, as to the policy of the Government in recognizing republics and governments. I should be glad if the gentleman would allow me to read it to him for his comment.

Mr. DINSMORE. I intend to make some references to that in another part of my remarks, and I should be glad if my friend would allow me to proceed.

Mr. RICHARDSON of Alabama. It will take me only a moment, with the gentleman's courtesy, and it relates to a point that the gentleman is discussing with great ability. It is as follows:

It is the established policy of the United States to recognize all governments without question of their source or their organization, or of the means by which the governing persons attain their power, provided there be a government de facto accepted by the people of the country, and with reserve only of the time as to the recognition of revolutionary governments arising out of the subdivision of parent States with which we are in relations of amity.

We do not go behind the fact of a foreign government exercising actual power to investigate questions of legitimacy; we do not inquire into the causes which may have led to a change of government. To us it is indifferent whether a successful revolution has been aided by foreign intervention or not; whether insurrection has overthrown existing government and another has been established in its place according to preexisting forms or in a manner adopted for the occasion by those whom we may find in the actual possession of power. All these matters we leave to the people and public authorities of the particular country to determine, and their determination,

whether it be by positive action or by ascertained acquiescence, is to us a sufficient warranty of the legitimacy of the new government.

It is the more imperatively necessary to apply this rule to the Spanish-American republics, in consideration of the frequent and not seldom anomalous changes of organization or administration which they undergo and the revolutionary nature of most of these changes, of which the recent series of revolutions in the Mexican Republic is an example, where five successive revolutionary governments have made their appearance in the course of a few months and been recognized successively, each as the political power of that country, by the United States.

That is the declaration of a Democratic President, Franklin Pierce, made on the 15th day of May, 1856.

Mr. DINSMORE. Mr. Chairman, I might fill up the RECORD with expressions akin to what the gentleman has just read. Indeed, I have inserted in the RECORD a long series of authorities upon the same line. It is a needless consumption of time to go on forever in this direction. My only purpose to-day was to endeavor to reply to the argument made upon the other side in defense of the action of the Government of the United States. Nevertheless, what the gentleman has read is an addition to the strength of our position, and I am glad to have it placed before the House and in the RECORD, and he has my thanks.

It is true my friend from Pennsylvania [Mr. ADAMS] in his speech complained that the authorities which I had read were ancient authorities; that they did not come down to modern interpretations and modern construction. Mr. Chairman, it will be a sad day for us, the well-being of our country and its good name, when those noble sentiments, as expressed by the statesmen from whom I read the other day, are out of date and ignored in the administration of our international affairs. [Applause.]

But those teachings were not controverted by the distinguished gentleman who spoke so ably on the other side. My purpose now is—and if I fail in doing so, gentlemen of the House and of the committee will see that I have failed—to briefly examine the cases cited by the two gentlemen who have spoken from the Committee on Foreign Affairs as justifying the action of the President in his sudden recognition of the independence of the Government of Panama.

I assert, Mr. Chairman, that these cases which the gentleman cited are not in conflict, but are in full harmony with what I read from the writings of Monroe, Adams, and President Jackson.

I stated on Friday last that there were cases wherein the Government was not called upon to exercise that caution and care, that deliberation that is proper when a part of a country has separated itself from the parent government, and when it may more promptly recognize a new government established, and I had in my mind the very cases cited by the gentleman from Illinois and the gentleman from Pennsylvania. Indeed, I am not sure but I referred to the case of France at the time. I did not see proper at that time to enlarge upon it. They are not in conflict with the doctrine as I stated it.

But why was it the United States Government was so prompt in giving its recognition in the different instances cited by them? Take the two recognitions given in France. In 1848 the Government then existing within the whole confines of French territory was overturned. Louis Philippe was cast out; he had sailed with his family from his country for England; he had left the republicans in full possession of the Government in all its functions and powers. It was the Government of France—the same Government, but under a different form. There were American interests there, American residents; there was an American minister, and there must be a government with which to deal in the transaction of business of interest to our country. There was no other government there to recognize except the Republic, and the Government of the United States consistently and with propriety recognized that Republic at once.

And so afterwards, in 1870, when Louis Napoleon was overthrown, when we gave recognition to the succeeding Government, the armies of the Empire had been captured, 300,000 or more of them, captured under MacMahon and Marshal Bazaine. There was no army left sufficient to enforce the Imperial authority. Whenever the Imperial troops were confronted by those of the Government of National Defense the former invariably reversed their guns in token of their sympathy and their approval of the Republic. They were in full possession of the Government; they exercised all the powers of the Government; Louis Napoleon was captive, overthrown, the Empire crumbled to dust, and again the United States most properly recognized the Republic of France, rejoicing to see a republic erected over the ruins of a monarchy. The Government had again changed its form; the same conditions existed as described in the former instance; there was no other government in France.

Again, the case of Spain was cited by the distinguished gentleman from Illinois, the chairman of the Committee on Foreign Affairs. Our prompt recognition of the Republic in Spain in 1873 was referred to by him as a precedent for the President's most extraordinary action toward Panama. What were the circum-

stances under which that recognition was given? Exactly similar to the two instances in France. The Spanish Cortes had elected a King in 1870, King Amadeo, an Italian. He was elected against the protest of a very large portion of the subjects of the Kingdom of Spain. He held his kingly authority and exercised his rule for about three years, and then, seeing that the conflicting and adverse elements in his Government made his rule a failure, recognizing the absolute impossibility of conducting his Government with success, he abdicated on the 11th day of February, 1873, turned the Government over to the Republic in the hands of skillful statesmen.

It was a Republic in esse, in fact, possessed of all the attributes of government without effective opposition, and there was no other government in Spain to exercise authority or to be recognized by the United States in the transaction of business of mutual interest to the two countries. The Spanish dominion had changed its form of government. Can this avail the President as a precedent in encouraging and making good the secession of Panama from Colombia, our neighboring Republic, bound to us in commerce and friendship by the bonds of a solemn treaty?

But our friends invoked the authority of one more precedent, that of Brazil. The gentleman from Pennsylvania [Mr. ADAMS] described the circumstance of the overthrow and expulsion of the unfortunate Emperor Dom Pedro most graphically in his excellent speech on Monday last in the Committee of the Whole on the state of the Union. Recall how that old man, stricken and broken in power, left his Empire and the scene of his glory, escorted in his carriage with his family, to embark upon a ship of the sea and be conveyed out of his dominion, to find refuge in a foreign land.

The gentleman from Pennsylvania was then representing our Government as minister at the court of Brazil, and notified his Government in a dispatch that by the acceptance of money proffered to him by the new Government Dom Pedro was considered to have abdicated his authority. He left the Empire. There was universal assent to the action of the revolutionists all over the land. The Government changed its form. A republic took the place of a monarchy. There was no other government there with which to transact the business of government, to exercise the powers of government over the Brazilian people. The Empire was gone—extinct, dead. The United States recognized the existence of the new Government, and later on (not immediately) recognized its independence as a power among the nations of the world.

Mr. STANLEY. Will the gentleman allow me to ask him a question, which he can answer "yes" or "no?"

Mr. DINSMORE. Certainly.

Mr. STANLEY. In those instances which the gentleman has cited was there even a nominal conflict of authority between the Government overthrown and the Government established?

Mr. DINSMORE. I have already stated that there was a complete overturning of the whole fabric of government within the dominion or the territory where these revolutions occurred. There was no other government; there was no antagonistic government, and no effective opposition from any source. How, then, can gentlemen invoke these cases to justify the President of the United States in taking up and giving his support to a revolted colony in secession against the legally constituted authority of the Colombian Republic, which is in treaty of friendship and commerce with us by the most sacred, formal, and solemn expression?

I say, as I have hitherto said, I believe there is not a gentleman in this House who does not believe that but for the action of the President and his officers in their intervention in the prevention of the landing of troops, not only along the route of the canal on the Isthmus, but in the whole Department of Panama (for they were excluded by the orders of this Government from every part of that Department); but for the action of the United States Government in taking this step there never would have been a republic or government of Panama to-day. That Government would have lasted no longer than it would have taken the Colombian Government to bring sufficient troops (which she had at hand) and crush it. It would not have lasted, in my judgment, a week.

Gentlemen on the other side say, and officers of the Department of State say, that we had a solemn duty to perform under the provision of the treaty, and that duty was to keep open communication of trade. I suppose I shall subject myself to the criticism of the opposition, inasmuch as I am now repeating a certain part of what I said the other day, indulging in "reiteration;" but if the President of the United States intervened at that time to keep open the trade across the Isthmus he should have intervened in the spirit and the terms of the treaty with Colombia itself. Colombia, that had ample power to suppress the rebellion, was prevented from exercising that power only by the action of the United States Government, by the intervention or threatened intervention with force.

Mr. Chairman, we can not too often refer to that treaty of 1846.

In my remarks on Monday I stated distinctly what the position of the President as expressed in his message to Congress was, and discussed the subject with reference to the views of Mr. Cass, Mr. Seward, and Attorney-General Speed, and from the standpoint of their construction of the treaty that the obligation we assumed in guaranteeing the sovereignty of Colombia was as against foreign foes and not as against rebellious subjects or citizens of the Colombian Government. I stated in my speech that I would argue the question from the view taken by the President, which, after looking at all the authorities, might properly be contended to be the correct one. It is true it was not universally accepted. There is a distinct and specific agreement by the Government of the United States. But I will read the language:

In order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada by the present stipulation the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Now, in this connection President Polk, said with reference to this provision of the treaty:

The guaranty of the sovereignty of New Granada over the Isthmus is a natural consequence of a guaranty of its neutrality, and there does not seem to be any other practicable mode of securing the neutrality of this territory. New Granada would not consent to yield up this province in order that it might become a neutral state; and if she should, it is not sufficiently populous or wealthy to establish and maintain an independent sovereignty.

But, Mr. Chairman, let us concede the contention of the President, and, as I remarked before, the opinions of men like Cass and Seward and Attorney-General Speed are not to be cast aside indifferently. I say again there is ground upon which to assume that contention, and I do not assume to decide whether it is the right or the wrong one; but what I do contend is that that treaty and the performance of its stipulations should be carried out in the spirit and under the guidance of its first article, which is as follows:

There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of New Granada, in all the extent of their possessions and territories and between their citizens, respectively, without distinction of persons or places.

Mr. Chairman, when this little coterie, this piebald crowd, set up an independent government in Panama, and the President of the United States, with one ship already there, issued orders for others to hasten to the scene of action at once, issued orders to prevent the landing of troops—when he excluded Colombian forces from the whole territory of the Department of Panama, which was within her jurisdiction and under her sovereignty—I say that was not an act of sincere friendship and was not conducted calculated to produce enduring peace, nor was it justified either in good conscience or before the international courts of the world.

I feel that the President did not conform to the requirements of duty. I feel that he did not conform to the requirements of treaty obligations, that he did not endeavor to promote peace permanent and enduring and good friendship between the two powers, and it does not satisfy the situation for gentlemen to enter into denunciations of the Colombians themselves. Whatever they may do, the Government of the United States should always pursue a course that will not be questioned in the court of conscience. Colombia was grasping? Yes. She did not meet us in a spirit of fairness; but when all is said, she had a constitutional right to reject the treaty, and that is the sum of her offending.

I believe I have noticed all of the cases invoked by the gentleman from Illinois [Mr. HITT] and the gentleman from Pennsylvania [Mr. ADAMS]. It is true that the distinguished gentleman from Illinois, with a majestic sweep of his hand, said there are plenty of instances; that it is a mere matter of the workshop; that he could cite more of these cases. Well, he is familiar with them all, and I think, Mr. Chairman, that the country will feel that the gentleman from Illinois was unfortunate in the selection of cases which he claimed proved that the action of this Administration was justified in its interposition in Panama.

If there were cases in point, the gentleman from Illinois would certainly have brought them into notice. If there were cases that were applicable here, there is none so skilled as the gentleman from Illinois to find those cases, and while he has knowledge in the workshop it occurs to me that it would have been better for him to have selected a shoe that would fit the foot, a glove that would adjust itself to the hand, rather than cases which we do not controvert as authority, which are not in conflict with what I have already declared to be the invariable rule for our conduct, but are in conformity and harmony with it.

If the gentleman can find a case in the history of this country where action has been taken by our own Government, which comes up to the case at bar, which justifies the action of the President in this particular instance, he will do more than I have been

able to do. If there is such a case, the gentleman can find it. I only say that up to this time he has not found it; he has not offered it for the consideration of the committee; he has not invoked it to justify the action of the Government. In my opinion he will not and can not.

Mr. WILLIAMS of Mississippi. If the gentleman will permit an interruption, is it not true that every case cited by the gentleman from Illinois [Mr. HITT] was a case where a country changed its form of government?

Mr. DINSMORE. The gentleman from Mississippi perhaps was not present all of the time, but I have gone over that and shown that in every instance it was.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. Mr. Chairman, I yield to the gentleman from Arkansas such further time as he may wish.

Mr. DINSMORE. Mr. Chairman, I thank the gentleman from Kentucky, but I shall not abuse his indulgence. I shall hastily conclude. I have not been animated by unworthy motives in this discussion. I stated to the House, when I opened it on a former day, that I was aware of the fact that I was assuming an unpopular position.

I have only done it out of a desire to speak for the honor and the integrity of my country as I understand it. I have done so to acquit myself and my party, in so far as I am authorized to speak for it, from any of the just censure that should come because of the action of this Administration in this instance.

We have longed for the construction of a canal. We still long for it as a great business enterprise that will bring the world closer together; that will bring rich returns to our country from commerce and trade, and we will have it. But, as for myself, I would have it constructed, however great the price, without the sacrifice of stern and strict adherence to right. Our country is too great to do so small and unworthy a thing as we are witnessing. [Applause on the Democratic side.]

Mr. MARSH. Mr. Chairman, I yield to the gentleman from Illinois [Mr. HITT] such time as he may desire.

Mr. HITT. Mr. Chairman, the gentleman from Arkansas has with great care and at interesting length amplified to-day what he ably said before, and in many cases has endeavored to repair minor breaches in his walls; but I think the whole of his speech reduces itself to an accusation against our President of having been too slow in going from the Panama Canal to the Nicaragua Canal, when he waited a week and the revolution interrupted further waiting, and in having been too fast in recognizing the government of the people of Panama after they organized a republic, when he waited nearly a week.

The gentleman stated in an admirable manner the political and moral sensibility that inflames his spirit when he sees what has been done by the President in trying in his own way to obey an act of Congress which aimed at the construction of the Panama Canal. He thinks the President was unjustly hasty in abandoning the possibility of coming to some agreement with Colombia. Why did he let those little obstacles that had arisen prevent a treaty? Why let the Colombian exaction of \$10,000,000 more, or even \$15,000,000 more, stand in the way? That was a delicious statement, coming from a gentleman whose lips had just before expressed his sensibility on questions of public honor and virtue. A treaty by which we generously gave \$10,000,000, at their demand, had been rejected by them, with the bald and palpable intention of attempting to blackmail us out of ten or fifteen million dollars more, and the gentleman would yield to their demand. What is ten or fifteen millions in this great question of a canal?

The gentleman says he knows he is on the unpopular side. I will certify to that on this point. All the Democrats, and all the Republicans joining with the Democrats, would pour out upon President Roosevelt their withering execration and hissing scorn if he had submitted to that blackmail. [Applause.] The American people do not want their affairs conducted in that way. When the conclusion came of that long and weary negotiation begun by the Colombian Government, the duty of the President was plainly marked out. He had been directed, as first choice, to secure, if possible by negotiation, the Panama route from those who had domination or dominion over it; and if that could not be done and the treaty failed, after waiting a reasonable time—that is the language of the statute—after a reasonable time he was to turn to Nicaragua. The gentleman thinks that enormous interval of time which took place after the failure of the treaty with Colombia was ample for him to have acted, and commenced on the Nicaragua Canal. It was an entire week! He might have telegraphed to order a dredging machine. He might have commenced some negotiation in some new telephatic or marconic method, but he let an entire week go by when Congress had commanded him to wait a reasonable time.

Is not such an objection mere quibbling? Is it not searching for a method of creating an obstruction to canal building? Is it not captiously scrutinizing the conduct of our Executive, who is

not usually reproached with being a slow man? Is it not an excuse for finding fault with what he does, whatever it may be? He was commanded by the law to endeavor to secure in treaty the right of way and the facilities for constructing the Panama Canal. After the folly of the Colombian Government had produced such a revulsion of feeling on the part of the people of Panama and its vicinity, who saw all their future hopes of a canal dashed; after they had risen in revolution and had organized a government, the mandate of Congress to build the Panama Canal as the first choice was still upon the President of the United States, to secure that route, if possible, by treaty with the government holding it. Names had changed. The government, once Colombia, was now Panama. The names had changed before under another law, a law enacted by our Government in treaty form in 1846. That was not with Colombia by that name. It was not with Panama, but it is binding upon us at this hour. It was made in 1846 with New Granada.

Did the change of name change the facts or the rights or the duties under it? We are not concerned about the Andes Mountains or other parts of New Granada or Colombia, 800 miles away. The treaty of 1846 was made with the Government that had domain over the Isthmus which is mentioned so often in the treaty, where the canal was contemplated, which Isthmus is all the treaty deals with; and when the President found an opportunity of obeying Congress and of negotiating with the Government which had domain over that Isthmus, fulfilling exactly the conditions of the act of Congress, except that a name had changed, just as a name had changed in the treaty of 1846, which was made with New Granada and was for many years with Colombia and is to-day binding upon the Republic of Panama, was it not his duty to take advantage of that opportunity?

The gentleman from Arkansas found much fault with the President for recognizing the Government of Panama that was in existence. He says it was too hastily done by the President, who was too slow to go to Nicaragua. The gentleman disregards as not in point the many examples I cited of similar and more prompt recognitions of new governments in recent years. He spoke in a defiant manner, challenging me to go on and cite other instances.

Well there are many, and perhaps it would be more satisfactory if I cited them from Democratic sources. A distinguished Democrat who is near me, a Democrat of the robust old school, hands me a memorandum of President Pierce, a sound Democrat, recognizing five successive governments in Mexico in six months.

The gentleman reviles the Republic of Panama as composed of a few unorganized and disreputable adventurers—hardly a dozen—and we dealt with them; that it had no parallel or likeness in the examples I cited and which he went over. He referred to our just conduct in recognizing the Republic of France in 1870.

When Minister Washburne went out to recognize the Government of France it was not then a republic, and it did not call itself by any name except "National Defense." There appeared at the window of the Hotel de Ville a dozen men with a flag and showed it to the people, and Mr. Gambetta made a famous speech to the crowd and said, "We are the committee which represents the French people." They had just walked over from the hall where their Parliament sat. They took power. Mr. Washburne recognized them as the Government. The gentleman says they had unanimous support of all the people. Why, of that Parliament over 400 were monarchists. The army was Bonapartist—that which was left, the main body having been crushed by the Prussian army. But the great body of the people were not in sympathy with the Republic.

The gentleman is very far from correct in his history when he said that a republic was accepted. It was so far from being accepted that they could not get the name of republic for it for five years by their own Parliament, and members were elected, and elected for five years, before they overcame the majority in favor of the old Bonapartists and royalist government. Yet we recognized that Government immediately. There was no such unanimity there as in that Republic which President Roosevelt recognized in Panama, where a people in their desperation were exasperated at the action of their Government sacrificing all Panama's interests in reaching for more millions in the Treasury of the United States. The new Government of Panama has been confirmed since by the formal assent of every municipality in the Republic of Panama. It has the assent and support of everybody. There have been no signals of discontent—no disturbances.

It would have been a departure from the continuous policy of our Government through so many years, a policy stated admirably in the extract read from President Pierce by the gentleman from Alabama [Mr. RICHARDSON] but a few moments ago, if we had not gone forward in the plain path of duty and recognized that Government.

But there was a reason stronger still. It is the duty every-

where, even in semicivilized countries, of our officers, naval, consular, and diplomatic, to at once recognize any organization that has a form and power of government, if they can thus protect the lives and property of Americans.

In this instance Americans were numerous and their property vast on the line of railway. A great deal was owned by them. It was the duty at once of our representatives to put themselves in communication with the existing authority. There was but one power, the authority of the Republic of Panama, and the remarks of the gentleman about there being a body of disreputable men is absolutely gratuitous. There is not the faintest shadow of basis for that, except that they were doing something that he now disagrees to. They were taking a step which tended rapidly to bring about that for which millions of our people are very anxious—the building of a canal. There seems to be the place where the shoe pinches. I believe a great mistake is being made by men in assuming a position here which has only one objective or result—it may delay the canal.

The change in the situation at Panama since the recognition of the Republic has not disclosed any change of sentiment. This Government answers in all respects the requirements of international law and the precedents of our Government. Having all the requisites for an independent government, they are and were entitled to recognition. The same recognition has been given by all the great powers of the world, and that after careful examination. That Republic to-day exists as a fact, and it will continue to exist. It is a part now of the political system of this continent. We are deeply interested in it by the old treaty of 1846 and by our projected canal. Gentlemen who think they can impede it or obstruct the wish of the American people by caviling and fault-finding, by sticking in the bark, and calling that a violation of law which was, in fact, carrying out the true intent of the law, are greatly mistaken as to the sentiments of the people of our country.

We are a plain, direct people, and we are trying to do what is right. In this we would do what is to all others a benefit, a generous act, while it is also for our benefit. All is done openly, day by day. There is no dark chamber, no great officials close under a king or an emperor to plan and carry out his wishes. Our affairs will go as the people want them. [Applause on the Republican side.]

They have said that they want, first, a Panama Canal, and if they can not get it they want a Nicaragua Canal. Congress has said—and it speaks for the people—emphatically, after long consideration, that it prefers the Panama Canal. The President has obeyed that order—obeyed it carefully. But he can never do anything, take any step that will meet the approval of those who are his professional critics, who are hunting places to find fault. He has made a step which they say is too slow, and he made the second step, which they say is too fast. Both were in the direction of a canal, which the American people desire, and they will soon have it. [Applause on the Republican side.]

We are tired of waiting; we are tired of delays; we have had enough lawyers and great lobbyists around here on behalf of rich companies trying to obstruct the wish of the people. We have seen this sinister influence in the lobby for years, and on the floor, and some said it was visible in the press; but public sentiment and determination will keep right on, unchanged like the restless tide of the sea. Those who try to breast it or divert it with cavil and quibble about forms of words the real meaning of which is plain, who have such tender sensibilities about the morals of our Government that they would thwart its progress, will be passed by while they are finding fault, and the people will stand by their honest and energetic President. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOVERING having taken the chair, as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

Joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. MARSH. Mr. Chairman, I now yield such time as he may desire to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER. Mr. Chairman, the members of the committee who have heard the careful, learned, painstaking speech of that trained member of the Committee on Foreign Affairs who is at the head of the minority will have noticed in it certain parts that I shall not answer. Perhaps we can say fairly that the main mo-

tive of that speech is a lament that the Nicaragua route was not chosen rather than the Panama route. With that we have nothing to do. The statute told us to get the Panama route by preference. We have now found it possible to obtain a treaty for the Panama route; and the President obeys the law and does not disobey it.

The second part of my friend's speech complained of the President of these United States for being, like the people of these United States, forceful, determined, willing to recognize facts, to do as this Government has always done, to protect American life and property, and in this case to protect the railroad now existing, in which Americans are largely interested—protect them by recognizing the powers that be in the land, and hold these powers responsible for what is done. In that I shall not answer the gentleman. He has been answered. But the gentleman from Arkansas went further. He made an attack, covert, it is true, but an attack which he has twice made, and the second time after he had been corrected, in which he reads to the committee the guaranty of the treaty of 1846, in which the United States of America—

guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

And then he says, Mr. Chairman, that there are high authorities which maintain that that guaranty only extends to foreign nations, and argues on the assumption if it be conceded that it only extends to foreign nations. May I ask whether he concedes it, because on that matter of honor the people and the President and Congress insist, and it must be conceded by them if we make any move upon the Isthmus? In fact, it is not only conceded by every American authority, but it has been conceded by history, and it has been conceded by Colombia herself.

I can not put the doctrine as it stands better than in certain words used not very many years ago. In the year 1885 there was a revolution or a disturbance upon the Isthmus of Panama. Mr. Bayard was Secretary of State. The Government of Colombia, through our minister, cabled to us:

This Government solicits fulfillment of article 35 of the treaty, etc., to secure the neutrality and sovereignty of the Isthmus of Panama. It desires that for that purpose some land forces be sent to disembark upon the Isthmus.

Let me point out to the gentleman and to the committee that at that time the doctrine had been so well settled that there was not even a letter in reply. They did not even print the answer in our foreign relations. I found, however, that this cable dispatch was answered by cable on the 29th of April:

United States operations restricted to transit. We guarantee international neutrality, not intervention with local strife.

Mr. Bayard, Secretary of State, thus expresses the universal decision of every authority of both countries before that time. Perhaps it would be more interesting to state this matter historically.

The Republic of Panama is no new republic. It was the Republic of Panama which established its independence from the Crown of Spain. It includes the important neck of land just at the Isthmus where, for fifty or sixty years, long before the treaty that I shall refer to, we have had a consul. There is the important city of Panama and a number of harbors, San Blas, Aspinwall, Chagres, and so on, but it is, oddly enough, separated from South America by a range of absolutely wild country—inhabited by savage Indians, broken by steep mountains, and intersected by tremendous gorges, where there is nothing but merest Indian trails to connect South America with Panama. It is said that a few years ago it was thought to be a very great thing that some dozen inhabitants of Colombia, on horseback, managed to pass along that trail to Panama.

In the survey of the Intercontinental or International Railway which was to connect North and South America our engineering parties did not go through that Isthmus of Darien. It is well known what awful starvation only a few years ago was suffered by Lieutenant Strange and his party when they attempted to cross that isthmus. Panama is an outlying district, commercial in its character, but it joined its fortunes to the great Republic of Colombia, which included not only the present United States of Colombia, but also Ecuador, Venezuela, and I believe Peru, and which after the victories of Bolivar expected to rival the greatness of the United States in the union of these different countries.

They were, however, impassably separated by mountains and streams. There were enormous differences in conditions. The highlands about Bogota have a temperate climate, where they raise horses and cattle and have two or three crops of corn a year.

The lowlands and marshes swelter under a tropical climate and fevers. It is a different population that inhabit the low grounds about the mouth of the Magdalena. In fact, these separate States were so cut off from each other by tremendous natural obstacles that the Republic fell apart.

In 1846 Colombia had been divided into three countries. One of them was New Granada. It was substantially in territory what is now the United States of Colombia. It included the Department of Panama, which, however, had its own town authorities, its own aldermen, its own people. And in 1846 this treaty was made by which the United States agreed that if a railroad or other means of transit were put upon the Isthmus there should be no duties charged for taking goods over the Isthmus other than would be imposed upon citizens of New Granada. It was to be practically a free zone for the transit of goods.

Thereupon, in order to get capital to go there and in order that the investor should feel safe that the riches which would be amassed there would not be seized upon by some foreign country, there had to be some guaranty. A letter has been published lately from the secretary of state of New Granada showing that that country feared that England would seize any such transit. That letter was kept a secret from 1848 and only published the other day from the secret archives of the Senate. The minister of the United States was told that this treaty could only be signed if we would guarantee the Isthmus against foreigners, especially against England.

Our minister, rightly believing that the guaranty against foreign countries was only a part of the Monroe doctrine which had already been declared by one of our great Presidents, signed the treaty without authority and sent it to Washington with the explanation contained in that letter, which declared the fear that England would take possession of the Isthmus. The President and Senate ratified his act. That guaranty went into effect and the letter remained in the archives of the Senate. The treaty was to guarantee against foreign intervention. As afterwards expounded by our Attorney-General, it did not mean that we should interfere in revolutions in Colombia or that we should prevent Panama from revolt. That was not declared in so many words for some time, but history settled its meaning. The treaty was made in 1846.

In 1853 there was a revolution in New Granada. A new constitution was adopted which transformed that State and took away the very sovereignty of New Granada over the Isthmus of Panama, for it constituted a federation of States, nine or thirteen, I think, in number, of which Panama was one, expressly providing that any one of those States could secede at any time at its will. The sovereignty of New Granada, said to be guaranteed by this treaty, was thus abolished at that time, and the sovereignty of New Granada has never been reestablished.

Our consul remained at Panama. We thus recognized the new federation. That constitution was perhaps the first in the world until the constitution of the Confederate States in which it was attempted to change a government into a federation, with express provision for secession. In the year 1857 Panama actually did secede from the union. Panama remained out of that union with the will of all parties for some years.

While she was separate as the Republic of Panama our consul remained there. The treaty of 1846 was recognized by the Republic of Panama and was recognized by the United States of America. It remained between those two sovereign States, as it remains now with the present Republic of Panama. For the present I shall pass over the disturbances and revolutions which occurred there. Well, she came back again, and a new constitution was adopted about 1861 which made the union closer. Mosquera was made President.

The Government itself was made more powerful, and he was dictator. Our consul remained, and the treaty still guaranteed against foreign intervention. In 1865 a new revolution occurred. Toro, the President, was turned out and imprisoned. A new President came in, and while those disturbances were in progress revolting inhabitants of the district of Cauca were marching on Panama.

Our minister at Bogota, reading over this treaty for the first time and being impressed with the idea which has been so plausibly and pleasantly suggested, that we had guaranteed the whole Isthmus as against revolt, represented to our home Government in a series of dispatches that many foreigners had come to live upon the Isthmus and that it was obvious that the treaty was intended to guard against them, and begged that we should thereupon protect the Isthmus for the government that was then struggling for its life at Bogota. The matter was thought of sufficient importance to be put before our Attorney-General, and I will ask the Clerk to read in my time the opinion of the Attorney-General upon this subject.

The Clerk read as follows:

Panama. Opinions of the Attorney-General, volume 11, page 391. The Isthmus of Panama.

The thirty-fifth article of the treaty between the United States and New Granada does not oblige this Government to protect the Isthmus of Panama from invasion by a body of insurgents from the United States of Colombia.

ATTORNEY-GENERAL'S OFFICE,
November 7, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 31st of October, 1865, together with a dispatch from Commander H. K. Davenport, of the Navy, then acting as consul of the United States at Panama, asking my opinion as to the obligation of this Government under the thirty-fifth article of its treaty with New Granada to comply with the requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country.

The most important privilege secured to the citizens of the United States under the thirty-fifth article of that treaty is the right of transit from sea to sea across the Isthmus for themselves and their merchandise without being liable to duties, tolls, or charges of any kind to which native citizens of New Granada are not subjected for thus passing the Isthmus; and in order to secure the tranquil and constant enjoyment of these and other advantages mentioned in the treaty the United States agree to guarantee, positively and efficaciously, to the Isthmus with the view that the free transit from one to the other sea may not be embarrassed in any future time while this treaty exists; and in consequence the United States also guarantees in the same manner the rights of sovereignty and property which New Granada has and possesses over the same territory.

From this treaty it can not be supposed that New Granada invited the United States to become a party to the intestine troubles of that Government, nor did the United States become bound to take sides in the domestic broils of New Granada. The United States did guarantee New Granada in the sovereignty and property over the territory. This was against other and foreign governments. Without language more explicit and direct to that end it can not be that New Granada desired or the United States intended to give a guaranty to New Granada against the conduct of the citizens of the latter.

The acceptance of such guaranty would amount to a surrender of sovereignty on the part of New Granada, and the United States by virtue of the treaty could claim the right to determine which party in New Granada would keep and perform the treaty and which not, and if able could rightfully put and keep in power the party thus selected. The history of the relations which this Government has ever borne toward the other nations of the world forbids the idea that it ever desired or intended to obtain such control over the internal affairs of any other government. The positive and efficacious guaranty of perfect neutrality mentioned in the treaty must be regarded as having reference to foreign powers.

In the fourth part of the thirty-fifth article it is agreed between the high contracting powers that "if any one or more of the citizens of either party shall infringe any of the articles of this treaty, such citizens shall be held personally responsible for the same, and the harmony and good correspondence between the two nations shall not be interrupted thereby, each party engaging in no way to protect the offender or sanction such violation."

This stipulation in the treaty is perfectly mutual, giving to the United States no more power over citizens of New Granada than it does to New Granada over citizens of the United States, and being mutual is in direct conflict with the previous part of the article if in that previous part the United States is authorized to intermeddle with the domestic concerns or to take sides with one or the other party in the intestine troubles of that nation.

My opinion, therefore, is that this Government will not be authorized from anything contained in the thirty-fifth article of the treaty to send a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country.

I am, sir, very respectfully,

Hon. WM. H. SEWARD,
Secretary of State.

JAMES SPEED.

Mr. PARKER. Thus by history and this opinion it is perfectly plain that we did not mean by the treaty to make ourselves a party to the internecine broils of New Granada. In this very revolution of 1865 the minister of New Granada at Washington had made a special request of the State Department that they would interfere as against the revolutionists. After the revolution had succeeded, Mosquera, the President of the Republic, in a formal communication to the United States (Foreign Relations, 1866-67, p. 568), expressed his thanks, commending the Government of the United States for refusing to intervene at the call of the Colombian legation authorities, saying that this circumspect policy of the American Government, with the correct estimate placed on facts, has fixed definitely the meaning of the treaty and "will serve as a point of departure for whatever political emergency may occur."

These are the words of Colombia to us now, declaring that we are not bound to maintain their sovereignty as against their own people.

That declaration was made with the knowledge that Panama was discontented. It was in that same year that our minister wrote that he had—

reported a consultation with a politician with relation to the projected separation of the State of Panama from the Republic.

He says that—

this idea still subsists with the people of that State; that the Federal Government fear their inability to hold it; that they contribute \$50,000 a year to the local government really in order to attach the people to the confederation.

And he continues:

The latter think that, free from the interior, for which they have a strong aversion, and under the protection of some strong power, they would own the national interest in the railroad, establish custom-houses, and thus enjoy abundance.

This is not all. Our minister thought the matter of sufficient importance to bring it before the direct attention of the minister

of foreign affairs of Colombia. He asked them whether they felt themselves authorized by treaty to request aid of the United States for the suppression of an insurrection, rebellion, or other disturbance on the Isthmus on the part of Colombian citizens, and they said no, not even on an invasion by another Colombian State, unless such movement be intended to detach the State of Panama from the Colombian Union and attach it to a foreign power.

And Mr. Burton adds:

This leaves the Isthmus free for independence, if not for annexation.

I am not stating this correspondence at hearsay. I find it in the Diplomatic and Foreign Relations of the United States for 1866 and 1867. On page 565 is the acknowledgment of the conduct of the United States in not interfering. On page 579, under date of September, 1866, the minister of foreign affairs of Colombia, reciting our letter as to the interposition due from the Government of the United States by the treaty between the two nations in the event that an insurrection by armed force should take place on the Isthmus for the purpose of segregating it from the union, says:

The Government of Colombia understands that if such a movement should be effected with a view of making that section of the Republic independent and attaching it to another foreign nation or power—that is to say, in order to transfer by any means whatever the sovereignty which Colombia justly possesses over that territory to any foreign nation or power whatever—the case will then have arisen when the United States of America, in fulfillment of their obligation, contracted by the thirty-fifth article of the treaty existing between the two Republics, should come to the assistance of Colombia to maintain its sovereignty over the Isthmus, but not when the disturbances are confined to Colombian citizens.

Mr. SCOTT. I believe gentlemen on the other side—most of them, at least—concede that under our treaty the United States have no obligation to preserve the autonomy of Colombia as against domestic revolt; but as I understand their contention it is that our Government does wrong now in preventing Colombia from reasserting her sovereignty on the Isthmus. I should be glad to have the gentleman discuss that question.

Mr. PARKER. I have not got to that question and may not get to it. I do not admit, in the first place, that we have prevented them from asserting sovereignty. That has not been proved by anything that has been done here. The important matter, however, and what I am trying to answer, is that of our duty under the treaty as against internal revolt. Gentlemen on the other side concede with an "if" and a sneer.

Gentlemen on the other side concede, but with a covert attack upon the honor of the Government of the United States and upon its President, and it is time that that concession should be made in such a way that that question should be barred. It is time that this House should not see gentlemen rising on the other side with an attack upon the honor of this country in its dealings with another power.

If we are free from any duty to maintain Colombia against her own revolted subjects, it is principle and policy to act the moment that we find a government that can fulfill the obligations of the treaty and that can maintain the transit. It is principle and policy to recognize that government. It is principle and it is policy because we must have some power on which we may rely. It is principle and policy to act quickly if we are free to act. But we will not have Members rising in this House to concede that there is even a doubt as to whether we are breaking treaties. I stand here to repel that insinuation against the President and the Government. Such a charge is made against all of us. [Applause.]

We have come down to 1865. Afterwards there were disturbances. We were continually protecting the railroads from time to time and trying to find out who was in power. There were revolutions—

Mr. LAMB. Will my friend allow a question?

Mr. PARKER. On this point.

Mr. LAMB. Do you accuse this side of disloyalty in making objection to the course taken by the President because of what one Member said? He, I think, disavowed expressing the opinion of this side, and declared that he spoke only his individual opinions.

Mr. PARKER. If my friend please, I do not accuse anybody. I do not accuse that side of doing it, nor do I accuse anyone of intentionally doing it; but it is equally certain that the words used by the gentleman from Arkansas, if only for himself, show doubt at least in his mind and may cause other men to have doubt in their minds on that subject. I disclaim any attack on gentlemen on the other side. I hope before I have done they will all concede that the guaranty was only against foreign intervention.

Mr. LAMB. Will the gentleman pardon one suggestion? There are some of us over here who contended forty years ago for the right of secession, and if it was wrong then how can it be right now?

Mr. PARKER. That is not a question. It is perfectly certain that if any foreign power had chosen under the circumstances to do a wrong to the United States by recognizing you they could have done it. I do not say that it would have been a legal wrong, but an actual wrong and injury to the United States, and if it had been to their advantage to do it or to the advantage of the world they would have done it. Fortunately, they saw it was not to the advantage of the world nor to their own advantage to break up this great Republic. As to Panama, I will put the question to the gentleman whether it is to the advantage of the world to maintain the rule of Colombia over a remote district separated from the mountains of Bogota by a month's journey, a district which remains no longer in the possession of Colombia, especially when the new Republic will forward the progress of the civilization of the world, and when its inhabitants have established a Government in which they all concur?

Mr. Chairman, in 1873 the United States had been occasionally landing marines to take care of the transit across the Isthmus. A protest was made by the Colombian Government. The question came up whether the United States forces should simply protect the railway or whether they should put down disturbances.

The United States claimed that they needed to have some government there who was really in power and who could put down disturbances. Thereupon our minister, Mr. Scruggs, communicated on December 19 of that year with Colonje, the minister for foreign affairs of Colombia, stating his view that there was violence on Panama, and that the treaty did not engage the United States to protect the road from local factions. Colonje replied that the treaty "did not include the obligation to protect the railroad against the class of violence referred to."

And he "makes known for the President that the Colombian Government has considered and will consider it its exclusive function and duty to give that protection, a protection which this Government has never refused, although it may have proved inadequate during the recent disturbances on account of the magnitude of the acts committed at so great a distance from the capital." He then promises to keep an adequate force there. And Mr. Fish in his dispatch to our minister said:

This engagement, however, has never been acknowledged to embrace the duty of protecting the road across it from local factions; but it is regarded as the undoubted duty of the Colombian Government to protect it against attacks from local insurgents.

You are consequently requested to address a representation upon this subject to the Colombian minister for foreign affairs, and to ask that a sufficient force be kept on the Isthmus to deter attacks upon the road, its officers, or servants.

So matters went on until the revolution in 1885, when the dispatches already read were sent and received, our minister telegraphing that the Government solicits the fulfillment of article 35, to secure the neutrality and sovereignty of the Isthmus of Panama and desires that for that purpose land forces be sent to disembark on the Isthmus. Mr. Bayard answered that question by saying that our operations were restricted to transit; that we guarantee international neutrality, not intervention with local strife.

That is the last of these constructions by words of that treaty. It is not the last in fact. In that year, 1885, Nunez, the retiring President, could not be reelected; he annulled the constitution, declared an interregnum, appointed provisional governors in nine States. He asked these provisional governors each to send two delegates to Bogota, which they did. They then drafted a constitution which made the President supreme. That constitution was nominally sent to the various parts of the whole country to be approved by the boards of aldermen, and came back with the statement that it had been so approved. Panama never has agreed or admitted that she ever did approve that constitution.

That constitution abolished the states and made them departments; it constituted provincial governments, each responsible to the President of the nation. It made the houses of the legislature absolutely supreme; it provided an exclusively federal judiciary appointed at Bogota; it allowed arbitrary arrests; it limited the suffrage and the press; it increased the offices; it lengthened the terms of those who were in office; it created a standing army; it permitted monopoly and capital punishment; it exempted the clergy from civil jurisdiction, and put the schools entirely in their power.

There had been a provision in the former constitution that passports should not be demanded in time of peace, and that was abolished. I have analyzed that constitution in part, but the most important and curious clause is in the tail:

ARTICLE 201. The Department of Panama shall be subject to the direct authority of the Government, and it shall be administered by laws especially enacted therefor.

It made Panama, by these words, the subject of special tyrannical direct control from an assembly distant over two weeks in time in the mountains of Bogota, without allowing it one word in

its own defense, and without its having the right to be governed by the laws which belong to the rest of the country.

Next, in 1900, there came a revolution. Sanclemente, a man of 93, who had been a lawyer, statesman, diplomat, scholar, and soldier with Bolivar, and who had been elected to the Presidency after he was 90 years old, was deposed from that Presidency by a revolution. It was headed by Marroquin, the Vice-President, who has remained in power, if not until now, until lately.

Under his dictatorship, practically under the terms of that constitution, he has remained the ruler in spite of frequent revolution in some of the States. The fine population of the hills, for I give them that credit, made up of the descendants of the Spanish conquerors of South America, have maintained their hold, not only in Panama, but in all of the lower districts that do not love their power, by force of arms and the strength of character inherited from the conquistadors. They are greedy for gold, as their forefathers were.

That country was conquered for gold, and they mean to make all they can out of it yet. Now comes the last act. After hundreds of millions have been spent by the French company in trying to cut through the Isthmus; after their own Government has negotiated a treaty by which the United States pays something toward that company for the value of their works and \$10,000,000 in cash, with some hundreds of thousands of dollars a year to the Government at Bogota, their last act is to say: "You are coming here anyhow. We are not afraid now that you will go to Nicaragua. You are coming here, and we will forfeit the French concession. We will make you wait a year, and we will put the forty millions, as well as the ten millions, in our own pocket, and you will have to defend us under the treaty against France if she does not wish her citizens to be despoiled."

Mr. Chairman, when great crises like these occur, there must be some one Executive—some one man, with wise counselors, who does not talk, but acts, and who must be supported by the people of his country. [Applause.] And there must be a Congress made up of patriots who feel it their first duty to remember that within his lawful authority the President of the United States represents more responsibilities to the people of this country, carries more weight, and should have more undying and unflinching support than any Executive the world over. [Loud applause.]

Mr. VAN VOORHIS. I yield thirty minutes to the gentleman from Iowa [Mr. BIRDSALL].

Mr. BIRDSALL. Mr. Chairman, I desire to vary this discussion for a few minutes with a few observations upon our industrial policy in connection with the farmer. I conceive, sir, that of all the factors among our people—of all its elements—no element is more interested or deeply concerned in the economic policy of the nation than the agriculturist. With this thought in my mind I have not risen to chant the praises of the protective policy. That is sung in the humming spindle, in the roar of countless thousands of iron horses that draw the products of our land from ocean to ocean, in the sunny faces of happy children, in the millions of homes of comfort and contentment. Indeed, sir, we can say as Richelieu did of old:

Look without—no foe not humbled; look within—the arts quit for our shores their ancient Hesperides, the golden Italy, while through the veins of this vast empire flow in strengthening tides trade, the calm health of nations.

I rise rather to enter a mild protest against the assumed authority of the gentleman from Mississippi and the gentleman from Texas to speak for the agriculturists of the great Northwest in general and that district which I have the honor to represent in particular. It seems impossible for the gentlemen to comprehend, for the Democratic party to comprehend, why the farmers of Iowa, of Nebraska, of Kansas, of Illinois, and of Minnesota are not with them. I can answer the gentlemen by the statement that it is because the people are guided by the safest guide in human affairs—the lamp of experience.

In 1892 the farmers of my State were beguiled into helping turn out a Republican Administration and instituting the Democratic Administration of Grover Cleveland. It was a time of unexampled prosperity throughout the agricultural regions of the West. But they were fooled—I use the term advisedly—fooled into believing that they were paying too much for manufactured articles; and at the behest of our then Democratic governor of Iowa they decided to clasp hands with the free-trade barons of Wall street and install in power the Democratic party and the policy of a tariff for revenue only. What was its effect upon the farms and the farmers of Iowa? The answer to this question will completely remove the difficulty under which the gentlemen rest.

I desire to call the attention of the committee to only a few statistics bearing upon this proposition. In 1890 the value of all farm property in Iowa was \$1,100,000,000 in round numbers. In 1900 (and this increase was from 1896 to 1900) the value of the farm property in Iowa was \$1,834,000,000 in round numbers. I have before me, and shall insert in the RECORD, a statement of the

auditor of the State of Iowa showing the amount of deposits in the savings banks and State banks of our State. Private banks, under our law, are not compelled to make reports, hence it is impossible to arrive at the amount deposited in them.

On June 30, 1891, the amount deposited in the State and savings banks was, in round numbers, \$33,000,000. On June 30, 1892, this sum had increased to \$42,467,000—an increase of about \$9,000,000. In 1893 it stood substantially at the same figure—\$42,000,000. In 1894 it had decreased to \$41,000,000. In 1895 it had increased to \$43,000,000. In 1896 it stood at \$43,000,000. In 1897 it had increased to \$45,000,000; in 1898, to \$59,000,000; in 1899, to \$77,000,000. So it increased each year from 1896 to 1903, when in February of that year, as shown by this report, the amount on deposit in the State and savings banks of Iowa was \$131,406,000. In other words, during the experience of the Democratic "tariff reform," from 1892 to 1896, the deposits in the State and savings banks remained stationary throughout our State, while from 1897 to 1903 they increased \$90,000,000. The State and savings banks are peculiarly the places of deposit for the farmer and the laborer.

Statement of deposits in State and savings banks of Iowa from 1891 to 1903.

Date.	Num-ber.	Due deposi-tors.
June 30, 1891.....	205	\$33,781,706.67
June 30, 1892.....	245	42,467,395.89
June 30, 1893.....	325	42,151,484.35
June 30, 1894.....	350	41,987,838.05
June 30, 1895.....	364	43,627,136.55
June 30, 1896.....	370	43,955,793.79
June 30, 1897.....	372	45,442,894.16
June 30, 1898.....	383	59,336,453.62
June 30, 1899.....	402	77,405,669.16
June 30, 1900.....	448	91,147,056.58
June 30, 1901.....	474	114,731,614.06
June 18, 1902.....	531	133,692,464.42
September 15, 1902.....	545	134,513,584.70
December 8, 1902.....	556	129,018,241.33
February 6, 1903.....	564	131,406,980.29

This is only one item. The Union Stock Yards in the city of Chicago are the great market place for the live stock of the Northwest. They were established in 1866, and from the date of their establishment down to 1892, with the exception of a single year, the value of live stock sold increased from year to year. In 1892 the value of live stock disposed of in the Union Stock Yards of the city of Chicago amounted to the grand total of \$253,000,000. That value declined every year from 1892 to 1896, when the total reached the mark of \$188,000,000, a decline of sixty-five millions during the Democratic Administration, a loss to the farmers of the Northwest in those four years upon the item of live stock alone, as shown by the record of the Union Stock Yards in the city of Chicago, amounting to over \$150,000,000.

Mr. STEPHENS of Texas. Will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. BIRDSALL. Certainly.

Mr. STEPHENS of Texas. I will ask the gentleman if it is not a fact that the cattle industry of the United States for the last three months has fallen off several millions of dollars?

Mr. BIRDSALL. That is true.

Mr. STEPHENS of Texas. Does the gentleman attribute that to the Democratic party?

Mr. BIRDSALL. No. [Applause on the Democratic side.]

I am about to give, Mr. Chairman, from a Democratic source—a paper published in my own town—for the purposes of comparison, prices upon farm products to-day. Horses selling in my section bring from \$80 to \$150. Milch cows bring from \$25 to \$35 a head. Oats are worth 28 to 30 cents a bushel; corn 35 cents; hogs \$4 to \$4.25 per hundred; hay \$6 a ton. I want the gentlemen of the committee to bear these figures in mind while I call their attention to the values in 1896, the closing year of the Democratic Administration, and I propose to read from an inventory in the estate of one William W. Lord, pending in my county in that year. This appraisalment is made under the following oath:

We, and each of us, do solemnly swear that we will well and truly, without partiality or prejudice, value and appraise the goods, chattels, and personal estate of William W. Lord.

This appraisalment is made by W. C. Keith, a Republican; a Mr. Wadsworth, a Democrat, and S. G. Kennedy, a Prohibitionist, so that we have no politics in the appraisalment. If the gentlemen will bear in mind the figures I have stated as being the value of property at this time, I will read a little from this appraisalment.

"One light-gray mare, 5 years old, named Doll, \$40; one dark iron-gray mare, 4 years old, named Daisy, \$35; one matched span of gray drivers, 7 years old, named Topsy and Kit, \$75; one dark-brown gelding, 18 years old, named Tom, \$5." Why, Mr. Chairman, there is a whole five-act tragedy in that appraisalment. Poor old Tom served his master for fourteen or fifteen years faith-

fully, but his good master is dead and gone, and old Tom is put in the shambles and sold under a Democratic Administration, under a policy of tariff for revenue only, for \$5. Let us proceed: "One dark-brown mare, 12 years old, named Nellie, \$12." Nellie is getting old, too. Passing down through the balance of the horses, we come to the cows: "One roan cow, white forehead, 6 years old, \$18; one red milch cow, \$20;" a dozen others ranging in price from \$15 to \$20. So on down through farm machinery and household goods upon about the same basis. Then we come to the crops: "Eight hundred bushels of old ear corn in the crib, at 10 cents per bushel; 1,300 bushels of oats in the bin, 18 cents per bushel; 20 bushels of wheat, at 30 cents per bushel; 18 tons of hay, at \$2.50 a ton; 50 acres of corn in the field, at \$2.50 per acre."

These are prices under Democratic times, such as the gentlemen propose to give us, and still they wonder that the farmers of Iowa have not judgment and sense enough to see that their salvation rests in the Democratic party. Continuing this inventory is the final item—"Cash on hand at time of decease, \$1." This appraisalment was made October 5, 1896, and if the Democratic party had succeeded that year the widow's dollar would have been worth but 50 cents. [Applause and laughter on the Republican side.] Is it any wonder that Mr. Lord laid down his burden and went to his Lord? He had at least one consolation. He could leave the country at that time with as little regret probably as at any time he had ever known. [Laughter.] Now, I want my Democratic friends to take this inventory with them. The gentleman from Missouri a short time ago advised them to pray, and while they are in that devotional attitude let them read this inventory, and then I commend to them that good old Presbyterian hymn we used to hear when we were boys:

And are we still alive and do we still rebel?
'Tis mercy, 'tis exceeding grace, that we are not in hell.

[Laughter and applause.]

COMMISSION TO APPRAISERS.

[In probate. Estate of William W. Lord, deceased.]

STATE OF IOWA, Wright County, ss:

To W. C. KEITH, EPH. WADSWORTH, S. D. KENNEDY:

You are hereby appointed to appraise all the personal property of William W. Lord, late of said county, deceased, as set forth in the following copy of inventory, so far as the same shall come to your knowledge. You will, therefore, after first being duly sworn, proceed to make such appraisalment as above required.

Witness my hand and official seal hereto affixed, at Clarion, this 2d day of October, 1896.

[SEAL.]

W. V. PALMER, Clerk District Court.

OATH OF APPRAISERS.

STATE OF IOWA, Wright County, ss:

We, and each of us, do solemnly swear that we will well and truly, without partiality or prejudice, value and appraise the goods, chattels, and personal estate of William W. Lord, deceased, so far as the same shall come to our sight and knowledge; and that we will in all respects perform our duties as appraisers to the best of our skill and judgment, as required by the foregoing commission.

W. C. KEITH.
EPH. WADSWORTH.
S. D. KENNEDY.

Subscribed and sworn to this 5th day of October, 1896, before me.

[SEAL.]

W. J. FRENCH, Notary Public.

General assets of personal property.

1 light-gray mare, 5 years old; name, Doll.....	\$40.00
1 dark iron-gray mare, 4 years old; name, Daisy.....	35.00
1 matched span gray drivers, 7 years old; names, Topsy and Kit.....	75.00
1 dark-brown gelding, 18 years old; name, Tom.....	5.00
1 dark-brown mare, 12 years old; name, Nellie.....	15.00
1 light roan milch cow, 4 years old.....	20.00
1 roan cow with white forehead, 6 years old.....	18.00
1 red milch cow, 4 years old.....	20.00
1 yellow and white spotted cow, 4 years old.....	20.00
4 heifers, coming 2 years old, \$12 per head.....	48.00
4 spring calves.....	16.00
7 old hogs, \$5 per head.....	35.00
32 spring shoats, \$2 per head.....	64.00
10 dozen chickens, \$1 per dozen.....	10.00
5 ducks.....	5.00
4 sets double work harness.....	20.00
3 sets fly nets.....	3.00
12-seated open buggy.....	8.00
1 new Newton wagon.....	25.00
1 old double wagon.....	8.00
1 hand cornsheller.....	3.00
2 sulky riding plows; name, "Trysicle".....	20.00
1 Deering self-binding harvester.....	25.00
1 Leader broadcast seeder, with flax and grass seed fixture.....	10.00
18-shovel walking and riding Avery cultivator.....	10.00
18-shovel walking Avery cultivator.....	5.00
1 pair bob sleighs.....	1.00
1 hay rack.....	3.00
1 Deering mower.....	15.00
1 10-foot sulky hay rake.....	1.00
2 2-section harrows, 50 cents each.....	1.00
150 oak fence posts, 2 cents each.....	3.00
800 bushels old ear corn in crib, 10 cents per bushel.....	80.00
1,300 bushels oats in the bin, 8 cents per bushel.....	104.00
20 bushels wheat in bin, 30 cents per bushel.....	6.00
18 tons hay in stack, \$1.50 per ton.....	27.00
1 stack millet hay.....	6.00
8 acres of flax cut and lying on ground. (No value.).....	
50 acres of corn in the field, \$2.50 per acre.....	125.00
1 complete outfit household furniture.....	25.00

1 16-inch breaking plow	\$5.00
1 corn planter50
1 single-shovel cultivator15
1 disk harrow50
Cash on hand at time of decease	1.00

STATE OF IOWA, Wright County, ss:

We, the undersigned appraisers, do certify that we have appraised the personal property set forth in the foregoing copy of inventory, as indicated in the column marked "Appraised value."

W. C. KEITH,
EPH. WADSWORTH,
S. D. KENNEDY,
Appraisers.

Yet, in the face of this record, with the memory of the blighting and blasting years from 1893 to 1896 full upon them, the gentleman from Mississippi and the gentleman from Texas tell us that the farmers are ripe for revolt and ready for tariff reform. I do not believe it. The farmer is a thinking, acting, conservative individual and can be safely relied upon to reflect upon disastrous conditions he was beguiled into fostering in 1892 by the specious argument of the free trader. The farmer is interested in the prosperity of the laboring man more than any other factor, because he knows that the better paid the laboring man is the more bread he will eat, the more meat he will consume, and the better clothes he will wear, and by increasing consumption will increase the demand for the products of the farm.

He knows that from 1893 to 1896 three millions of honest men were trudging over this country in search of labor at any wage, and that his products which theretofore had been consumed by them then lay rotting in the field and in the granary. He knows more than this. He knows that idleness breeds disorder and discontent. He knows that every one of these three million men carried an empty stomach, and that empty stomachs are the storage batteries for revolution.

The farmers, sir, constitute the great conservative balance wheel of this Government. There are in my State 250,000 farms and more individual owners of their lands than in the whole of England, Ireland, and Scotland combined. We can not have an aristocracy of wealth under our system. The rich man of to-day is the poor man of to-morrow.

Mr. MACON. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. BIRDSALL. Yes.

Mr. MACON. The gentleman spoke a little while ago about 3,000,000 empty stomachs. I would like to know when those stomachs first became empty.

Mr. BIRDSALL. They became empty, sir, the moment that it became apparent in 1892 that Democracy was about to succeed.

Mr. MACON. When did that become apparent?

Mr. BIRDSALL. It became apparent after the election of 1892, when the Democratic party was successful.

Mr. MACON. Then does the gentleman mean to say that up to the national election of 1892 there were no empty stomachs in this country?

Mr. BIRDSALL. I mean to say that in 1892 this country presented a spectacle that had never before been presented in its history of prosperity and contentment.

Mr. MACON. Does the gentleman from Iowa know that what he is attempting to cram down the throats of the members of this committee and the country is nothing more nor less than campaign rot of the most common character and against the facts as to the conditions of our country as shown by its history at the time of which he is talking?

Mr. BIRDSALL. It may be such in the gentleman's comprehension. Of course the difficulty with my friends upon the other side is that they have always considered argument of this character, consisting of facts and experiences, as rot, and that is the difficulty with them. The farmers of the great Northwest know better.

I was about to remark, sir, that the farmers constitute the great conservative balance wheel of this Republic. Look over the list of our ablest and wisest men and observe that they come not from the lap of pampered luxury, but from the fields of labor and from the farms. It is not from the crowded cities, not from the heat of commercial activity that such men are born and perfected, but, rather, in the quiet of agricultural and rural life, where reflection goes hand in hand with honest toil.

There, amid the fragrance of the clover blossoms and the perfume of a thousand flowers, is laid the foundation for the battles of after life. The victories of manhood are the result of the struggles of boyhood, and with the maturity of years come the fruits of that industry and that development of character that mark the early life. Thank God, no trust can be put upon human character or individual effort in this direction, and henceforward, as in the past, let gentlemen say what they please, the highest walks of statesmanship and citizenship are open to the humblest toiler of the land. He who sits in the White House to-day and guides the helm of this Republic is beloved of the people because he left the paths of luxury and ease to climb by the rugged steps

of labor and activity to honor and renown. His heart beats with the masses of the people. With him no man or set of men, however rich or powerful, are above the law; no man, however poor or however humble, is beneath it. A man with a mind deep enough and broad enough to comprehend our destiny as a nation, he stands to-day, sir, the best prototype of the American citizen and the brightest exponent of our civilization. [Applause on the Republican side.]

Mr. SMITH of Kentucky. I yield thirty minutes to the gentleman from California [Mr. LIVERNASH].

Mr. LIVERNASH. Mr. Chairman, almost every day this Chamber is filled to the bursting point with sweating expressions of solicitude for the millions who toil. This afternoon, even, has not been free from the experience, though for a time it seemed it would be. One can hear the defenseless English language creak and crack under the strain to which it is subjected by that intense concern for the masses which expends itself in the expressing. It seems a pity, and I rise to suggest, not in a spirit of violent partisanship, nor with any purpose of radicalism, the substitution of thoughtful action for puffing, canting rhetoric.

Gentlemen who prefer the stock reports to the Sermon on the Mount, and other gentlemen whose statesmanship begins and ends with the distribution of Government seeds, may ask what action can be required while Opulence spreads its golden wings over all the land. Indeed, some of the Members of this House, as witness the gentleman from Iowa who has just resumed his seat, profess amazement that any of us can feel discontent or anxiety with conditions as they run to-day in a country declared to be, as the gentleman has pictured our America, incapable of yielding an "aristocracy of wealth."

But much can be done, sir, if gentlemen are, as they profess to be, in earnest in their fervid assertions of friendship for the working classes of this nation, and especially the men and women who have banded themselves in labor unions. Commissioned as I have been by Organized Labor, I feel it to be a duty to protest on this floor against that policy of so-called "conservatism" which has found vulgar expression in the phrase "stand pat." [Applause on the Democratic side.]

I would be for "standing pat," and I believe the organized labor of America would be for "standing pat," if "standing pat" meant standing for policies so satisfactory in themselves or tending toward policies so desirable that departure from them might prove to be experimenting with danger. But "standing pat" with conditions as they are is not conservatism—it is assenting to much that tends toward grave disaster in the industrial world, unsoundness in finance, and decline of popular government. The bearing of the "stand-pat" doctrine on our foreign relations I shall not to-day discuss, but something may with possible profit be said concerning domestic problems injuriously affected by inaction.

The unhappy truth is that our national prosperity (and we are as a people exceptionally prosperous, and if not misgoverned ought always to be) is not counting so much for the working classes at present as it counted a year ago. I am not engaging in mere conjecture in saying this. I speak after careful and cautious investigation.

By reason of direct identification with important arbitration proceedings having to do immediately with the cost of living in various cities of the United States and with the relation between cost of living and the wages of labor, I have gone to bed-rock on this question; and I say with confidence that the cost of living in this country for the average worker who leads a simple life is to-day 25 per cent greater than it was a twelvemonth back.

The increase has not been so sharp with classes habitually using luxuries; but even as to them I am convinced that the advance has been much more than has been reported by the Department of Commerce and Labor, though I submit to the House that official statistics put forth by the Department indicate a material increase in the cost of living for all classes of our people.

Side by side with the mounting cost of living there has been an increase of wages, take the country as a whole, an increase forced by the power of collective bargaining as exerted by the labor unions; but the rise in wages has not been so great as the rise in commodity prices. There is the most significant fact of contemporary life for gentlemen who are interested in the money welfare of the working classes, and it gains in significance when it is considered that the rise in commodity prices has been greater in America than in Europe. The movement is not a world movement: we must seek in domestic conditions the explanation of the change.

Nor is this all. Now, in the midst of the opulence of which gentlemen speak so often and so glowingly, wages are falling—not in a few localities and for clearly local reasons, but throughout the country and because of some general condition. I commend this serious fact to the careful thought of Members of this House who are in earnest in professing concern for the welfare of the toilers.

Gentlemen can not doubt in this regard. One can not pick up a newspaper of fair methods of news presentation without finding in its columns some report of wage reduction effected or in contemplation. None of us can have failed to note the most important of these reports—that which told the nation of the intent of the steel trust to cut the wages of its multitude of workmen scattered through many districts of our land.

I hope gentlemen who run to superlatives in talk as to the rights of Labor will feel it worthy of attention that this vast combination, amidst all the boasted wealth of our America, plans to cut the bread-and-butter allotment of thousands on thousands of its employees. I hope they will not be for "standing pat" as to the condition lying at the bottom of this contemplated cut. [Applause on the Democratic side.]

And bad as are some tendencies affecting the men and women who work ashore they are not so unfortunate as are the tendencies touching the men who work at sea. "Standing pat" in the case of American seamen means approving practices which are unworthy and unprofitable; practices making sea life something to escape rather than something alluring to our boys and men; practices fatal to the healthful progress of our merchant marine and the strength of our Navy.

I shall not now pause to discuss the large question thus suggested—one of the most important questions before the nation, though not as yet perceived by many in its full scope and dignity—but at some other time I shall turn again to it.

I represent, Mr. Chairman, that gentlemen should forthwith address themselves to the grave problem presented by falling wages amidst rising tides of wealth. Here is a field for action and an escape from words. Something is wrong. Find out what it is and then apply a remedy.

It is my earnest faith that no man who inquires with intelligence and diligence can avoid the conclusion that the monopoly trust is the controlling cause of the increase of cost of living in America, and a potent influence for driving wages to low levels and treating workmen as machines.

The money lords have capitalized their greed—have issued stocks and bonds based on the dreamiest dreams of Hope and Wall street's wildest gambling by discount on the genuine prosperity of many a year to be. Small wonder that, in the debauch of avarice and daring, prices of commodities have lost normal moorings and dangerous advances have been general.

No sane observer can believe that industry can be for long grossly overcapitalized without disaster; and I think most inquirers are agreed that pending the sound reorganization of overcapitalized monopolies in the industrial field the greatest sufferers are the men at the bottom, the workers who earn more than they get and are obliged to pay more than they should.

Already in this country we are experiencing the ill effects of overcapitalization. The reaction has set in. Some of the extravagance is being forced out—some of the water disappearing. But in the reaction Labor is being hurt. Capital is seizing the loss of confidence occasioned by its own criminal excesses as a justification for cutting wages, though commodity prices are not falling and though wealth production continues unabated.

What should be done? What does Labor ask to have done? Does Labor look with fear on the monopoly trust—that disease of our material prosperity, a disease produced by dishonest commercialism and government by coterie? If it does, what has it to propose in remedy?

I have tried to gain trustworthy answers to these questions—answers not colored by partisanship, but having intelligent and patriotic regard for the substantial progress of the whole people.

In my pursuit of the truth I have visited the principal industrial centers of the country, have spoken directly with a multitude of workmen who are not politicians, and have corresponded with hundreds of recognized leaders of the labor movement of the United States.

In a general way my investigations have established that the working classes are doing much hard thinking and are for real conservatism in dealing with industry—conservatism as heedful of the just interests of Capital as the large rights of Labor. I do not doubt that Labor would throw itself against anything having the appearance of radicalism affecting American industries, even radicalism in the application of remedies to wrongs under which the toilers suffer.

In so far as the monopoly trust is concerned (and that is the only kind of trust I am speaking of this afternoon), my inquiries have led to the conclusion that the working classes are of one mind in regarding it as a danger to them and to the representative character of the Republic, but hold it should be intimately studied before being attacked along new lines. It appears to be the general belief that the Congress should proceed further against the monopoly trust, but that legislation should be preceded by thorough investigation immediately begun.

The working people see that they are harmed by the trust

which kills competition and then raises prices, and by the trust which destroys small factories, economizes labor and material, and gives the community nothing of the resulting money benefits; but they see also the complexity of industry—the network of relations between investments, between prices and tariffs, between cost of production and wage rates, and, seeing, they fear changes not based on exact knowledge. Moreover, they do not believe the Congress has exact knowledge as to particular trusts.

The best suggestion coming from Labor, it has seemed to me, has been this: That the Congress should commission a joint committee of the House and Senate to make a searching investigation as to trusts, taking testimony in a number of cities, and holding sessions with the utmost publicity. Labor, I feel, would be glad of such a course and would applaud immediate action along the suggested line.

Let it not be supposed that the working classes favor the sort of inquiries characterizing the Department of Justice or the kid-glove methods indicated by the report of the Department of Commerce and Labor. There seems to be pretty general understanding that the Department of Justice has confined its work to comparatively insignificant combinations, like the salt trust, and betrayed no consciousness of the existence of such bandit concerns as the Standard Oil Company and the sugar trust, though their operations have polluted the very Capitol of the Republic. [Applause on the Democratic side.]

For myself, I wish to say that the suggestion thus coming from Labor seems wise. I feel, as many others in this House must feel, that something should be done to put down criminal aggressions of capital operating through monopoly trusts; yet if given authority to write a binding plan of attack I would hesitate to put pencil to paper without more detailed information than is now available for even the most painstaking student.

But, sir, I deeply feel that if gentlemen really wish to help the toilers, and do not wish to delude them with empty words, they should begin forthwith the inquiry for which millions wait. There is no partisanship in the proposal. I would not under any circumstances stand for action touching the trusts if action were designed to serve the interests of office-hunters rather than of the whole nation.

Mr. MANN. Will the gentleman allow me a question?

Mr. LIVERNASH. With pleasure.

Mr. MANN. The gentleman refers to what he calls the "kid-glove" report of the Department of Commerce and Labor. I suppose the gentleman is aware that the Department of Commerce and Labor has not been in operation very long. What report does the gentleman refer to?

Mr. LIVERNASH. The report very recently issued, explaining with impressive elaboration that nothing has been done. [Laughter and applause on the Democratic side.]

Mr. MANN. The gentleman calls that a "kid-glove" report?

Mr. LIVERNASH. I do. I find abundant evidence that in dealing with the trusts the Department has used kid gloves instead of a battle-ax. [Applause on the Democratic side.]

Mr. MANN. Does the gentleman express a similar opinion in regard to Mr. Carroll D. Wright?

Mr. LIVERNASH. I regard Mr. Carroll D. Wright, with his distorted figures, as one of the greatest living enemies of Organized Labor.

Mr. MANN. Does the gentleman believe that the Department of Commerce and Labor should be given opportunity to show whether it can do anything or not?

Mr. LIVERNASH. Under the law it must be given opportunity. That good will come from the work of the Department as to trusts I do not believe. In any event, while the Department is using its opportunity we should not be idle. The Congress should act.

Mr. MANN. The gentleman's opinion, as I understand, is founded upon mere belief; he has determined in his own mind that there shall be nothing done by the Department of Commerce and Labor. He settles that in advance for himself without waiting for the Department to act.

Mr. LIVERNASH. I have such respect for the gentleman from Illinois that I can not believe he quite means what his words imply. I am not disposed to be ungenerous in my estimate of the Department of Commerce and Labor, but neither am I disposed to be fancifully sanguine.

In the course of time, doubtless, something will come out of the new Department; but assuming that it will act as to trusts with the celerity characteristic of other executive branches of the Government dealing with them, it does not seem unreasonable to fear that before the Department can be ready to lay before the Congress specific information as to the specific trusts in which the nation is most interested the echoes from Gabriel's trumpet will have been dead. [Applause on the Democratic side.]

Mr. MANN. Does the gentleman doubt that the Department of Commerce and Labor will make an investigation and report as to specific trusts?

Mr. LIVERNASH. "The gentleman" does not doubt that the head of the Department will seek to make an inquiry. However, "the gentleman" has heard enough to know that already the Department has learned the difference between seeking facts and getting them, for already it has encountered unwillingness on the part of certain trusts to permit the sort of inquiry which inquires. And "the gentleman" feels sufficiently conscious of the gravity of the situation and the importance of promptness in getting light on the dark places to regard it as a high duty of the Congress to go forth directly in pursuit of the truth instead of loitering for action by an Executive Department.

Mr. MANN. I have the highest respect for the opinion of the gentleman now on the floor. I presume he is aware—although it may happen that in the press of his various duties he is not aware of it—that the Department of Commerce and Labor or the Commissioner of Corporations was given the very widest latitude of examination into all these questions by compelling every corporation or its officers to testify personally before him.

Does the gentleman doubt that that power if sustained by the courts will be exercised to the fullest extent, and that the courts will be called upon soon to pass upon the question whether Congress may confer such authority upon that officer?

Mr. RICHARDSON of Alabama. Will the gentleman from Illinois [Mr. MANN] allow me a suggestion in this connection?

The CHAIRMAN. The Chair will suggest that the gentleman from Illinois has not the floor.

Mr. LIVERNASH. Mr. Chairman, I hope the gentlemen will not within my time enter upon lengthy speeches.

Mr. RICHARDSON of Alabama. I will state I served as a conferee with the gentleman from Illinois [Mr. MANN] on that question, and we know the fact to be that the power given the Department of Commerce and Labor now is to investigate and find out facts through the Secretary of the Department of Commerce and Labor, and when he finds those facts in reference to corporations, he is bound to submit them to the President of the United States, and the President will say what facts shall be made public. That is the Nelson substitute.

Mr. MANN. Oh, that is purely a technical question.

Mr. RICHARDSON of Alabama. And it is the only law that governs the Department of Commerce and Labor in their investigations of corporations.

Mr. LIVERNASH. Mr. Chairman, I reluctantly object to having the small remnant of my time consumed in colloquies in which I have no part.

Mr. MANN. Oh, the gentleman has not been here as long as some of us. The gentleman will be given all the time he wants.

Mr. LIVERNASH. The suggestion that I shall be given all the time I want in this House is comforting, coming from the gentleman from Illinois. I hope he will remain of that opinion, permitting me to stay in this assembly long enough to accomplish what I came here to do. [Laughter on the Democratic side.]

Mr. MANN. I simply wish to remark to the gentleman that if I doubted that the Bureau of Corporations would pursue its authority that has been conferred upon it, to worm information out of all the trusts, including the Standard Oil trust, I would be most heartily in favor of the inquiry the gentleman suggests.

Mr. LIVERNASH. I believe the gentleman would, under the condition mentioned, manifest the favor of which he speaks; but I think he is a notable exception on his side of the Chamber.

Mr. MANN. Oh, not at all.

Mr. LIVERNASH. I am open to conviction, but I should be glad of proofs. If the walking delegate for the majority, the gentleman from New York [Mr. PAYNE], were of the same mind as the gentleman from Illinois, and would pass the glad tidings along the line, I should feel more hopeful. [Laughter and applause on the Democratic side.]

Now, Mr. Chairman, I have spoken at some length as to the monopoly trust, because I deem it to be the question of questions with which the Congress should now be dealing. I trust gentlemen will appreciate that I have done this with a view to national welfare rather than partisan advantage, remedial action proposed having no design to influence that Presidential election which seems to engage, almost exclusively, the energy of the majority of this House.

However, gentlemen who differ with me as to the monopoly trust, might find other means of promptly serving Organized Labor than the means suggested by immediately passing the eight-hour bill for which the American Federation of Labor has been for years petitioning the Congress. The American Federation of Labor, two millions strong, is the greatest organization of toilers the world has ever known. Its will is entitled to great respect, and this House can be in no doubt concerning its desire as to the hours of labor.

The eight-hour bill, though supported by the organized labor of all America, seems incapable of getting on the statute books, no matter how vehemently legislators declaim professions of

eagerness to serve the workers of the nation. Why can not the loquacious friends of labor pause long enough to bring out of committee and hasten to the Senate this bill which has hung fire in Congress for years?

The bill is now before the Labor Committee of this House, and is supported by the American Federation of Labor and all other organizations which speak for the workingmen of this country; and I represent that if gentlemen meant to do things instead of to talk platitudes we could, even before the holiday recess, pass the eight-hour bill and send it to the Senate.

I should be gratified, though much surprised, to find this House applying to important proposals affecting the working classes of our own land somewhat of the celerity which the Administration applies in the recognition of new republics. [Applause on the Democratic side.]

So, if gentlemen favor action, let them turn to the American Federation of Labor's anti-injunction bill. All of us know that the workingmen of America wish that bill to become a law, and all of us know that this desire of Labor is rational and conservative.

The truth is, Mr. Chairman, and I say it with sorrow rather than with bitterness, that most of this House talk of friendliness to Labor is insincere.

Mr. CAMPBELL. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Will the gentleman from California yield to the gentleman from Kansas?

Mr. LIVERNASH. For a question, with pleasure; for a speech, no, my time having almost expired.

Mr. CAMPBELL. Does not the gentleman assume in that expression that he is speaking for the demagoguery of the Democratic party?

Mr. LIVERNASH. If the earnest expression of genuine solicitude for Labor makes one a demagogue, within the gentleman's definition of that term, then I should rejoice to be the greatest demagogue in America. [Applause and laughter on the Democratic side.] However, the gentleman has a wrong conception of what is required to constitute a demagogue.

I resent and regret the suggestion that advocacy of the adoption of a resolution providing for an inquiry concerning the monopoly trust and that advocacy of the passage of the American Federation of Labor's eight-hour bill and anti-injunction bill indicate the demagogue. I have believed that the practice of the demagogue is such practice as professes right action and pursues inaction or wrong action.

There is the utmost sincerity, I believe, in the labor movement of this country; and the man who pleads for earnest attention on the part of the Congress to the proposals of the millions who toil can not, with justice, be put down as a demagogue because of his associations and his sympathies.

It is very easy for thoughtless or prejudiced men to pronounce our labor movement shallow and dangerous and its champions not sincere or well informed; but the strong truth is, as Lecky has well said, that—

the best security of the industrial fabric is to be found in the wide division and diffusion of property, which softens the lines of class demarcation and gives the great masses of the people a close and evident interest in the security of property, the maintenance of contracts, the credit and well-being of the state.

And, as he clearly perceived, the labor union tends directly, through influencing wages, to bring about that wide division and diffusion of property which yields the best conservatism and is the immediate enemy of anarchy. Lecky, the gentleman from Kansas will concede, was not a demagogue. With his views, were he living and an American, his place would not be with the majority in this House.

The labor movement of America is in essence the application of morality to industry. It makes for the full dinner pail, increasing comfort, enlarging culture. It tends to prevent such inequitable distribution of wealth as gives us, side by side with starvation, John D. Rockefellers and Andrew Carnegies, men suffered through abuse of state, through un-American special privilege, to absorb an undue proportion of the wealth produced by the industry of our nation.

Mr. Chairman, the will of the men who work, when conservative, must prevail. Nothing is settled until it is settled right, and the problems affecting labor will not be settled aright until substantial justice shall have been done the millions at the bottom. I have no fears for the future of the Republic. Sooner or later the Government will respond to the true interests of the multitude, as the fathers intended it should always respond.

I do not speak, therefore, in a spirit of pessimism, but in the hope of prompting reasonable Members of this House to immediate effort along lines of strict conservatism. Sooner may we make the sea lie still than prevent the uplift of the masses. The principles at the base of our Union are imperishable, and those principles, when given play, promote the welfare of the many

and prevent the privilege of the few. It is for us to do our part toward giving them just application to contemporary life. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. BRUNDIDGE. Mr. Chairman, there are some other gentlemen on this side of the Chamber who have spoken for time in this debate who do not care to occupy it before to-morrow. Hence I suggest that the committee do now rise.

Mr. GIBSON. Mr. Chairman, before the committee rises, I wish to obtain unanimous consent for leave to extend my remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DINSMORE. Mr. Chairman, I make a similar request.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LIVERNASH. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

And then, on motion of Mr. VAN VOORHIS, the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6758, the pension appropriation bill, and had come to no resolution thereon.

COMMITTEE ON TERRITORIES.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk to be read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Territories, or such subcommittee as they may designate, shall have leave to sit during the sessions of the House during the Fifty-eighth Congress and during the recess.

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

COMMITTEE JURISDICTION.

Mr. WANGER. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. WANGER. On yesterday there was introduced in the House a bill (H. R. 7643) to secure the Government of the United States against unjust demands by postmasters to be paid or credited with the amount of losses resulting from burglary or other unavoidable casualty, which I see, by the RECORD, was referred to the Committee on the Post-Office and Post-Roads, ordered to be printed, etc.

The Committee on Expenditures in the Post-Office Department this morning adopted a resolution claiming jurisdiction over the bill, and directing me to endeavor to secure a change of reference. In accordance with the action of that committee, I move that the Committee on the Post-Office and Post-Roads be discharged from the further consideration of the bill.

The SPEAKER. The Chair finds, on examining the rule, that at no time is this a question of privilege, but rather a privileged question concerning a matter of procedure; but it is only a privileged question immediately after the reading of the Journal.

Mr. WANGER. If the Chair will do me the justice to allow me, I will say that I tried to present the matter this morning. I presume the Chair is aware that I got a request that I would please refrain from raising the question at that time, but bring the matter up after the Committee of the Whole had risen.

The SPEAKER. The matter was not called to the attention of the Chair, but the Chair has no doubt that the gentleman states the fact about it. This would be a privileged question, on to-morrow, or on the next legislative day, after the reading of the Journal, so that no rights have been lost.

Mr. WANGER. Oh, no. I cheerfully yield at this time, and withdraw the matter.

SENATE RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution 24:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 750 copies for the use of the Senate, and 250 copies for the use of the War Department—to the Committee on Printing.

Joint resolution (S. R. 24) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point

Luis Bográn H., of Honduras—to the Committee on Military Affairs.

COMMUTING RATIONS FOR MIDSHIPMEN.

The SPEAKER. The Chair lays before the House the following joint resolution, with a Senate amendment.

The Clerk read as follows:

Joint resolution (H. J. Res. 66) in relation to commuting rations for midshipmen.

The amendment of the Senate was read, as follows:

In line 9, strike out the words "on sea duty."

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken; and the Senate amendment was concurred in.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; which was thereupon signed by the Speaker.

LEAVE OF ABSENCE.

By unanimous consent, Mr. FIELD was granted leave of absence for the remainder of the week, on account of important business.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Postmaster-General, transmitting papers relating to the claim of Kirby Thomas, postmaster, at Superior, Wis.—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting the annual report of the Director of the Bureau of the American Republics—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Aaron Bullock against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Silas T. Rosser, administrator of estate of George N. Rosser, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of N. W. Baker, administrator of estate of Elizabeth Nicholas, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John R. Fauver, sole heir and legatee of estate of Richard Anderson, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Reuben Jones, administrator of estate of Theophilus Weaver, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the president of the Sherman Statue Commission, recommending the appropriation of a certain sum and the reappropriation of other sums for payment of models—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for Marine Corps and magazine for Naval Academy—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Attorney-General, transmitting a copy of the annual report of the attorney-general of Porto Rico—to the Committee on Insular Affairs.

A letter from the Secretary of the Treasury, transmitting report of the auditor of Porto Rico of receipts and disbursements from November, 1902, to October, 1903—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting report of receipts and disbursements by the treasurer of Porto Rico

from November, 1902, to October, 1903—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a letter from the Director of the Geological Survey and the draft of a bill, a recommendation in regard to the use of certain moneys received from the sale of maps and folios—to the Committee on Printing, and ordered to be printed.

CHANGES OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5016) for the relief of Andrew Grady—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5017) for the relief of N. A. Kraft, sr.—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5018) for the relief of Dan Fry—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5019) for the relief of F. H. Cleveland—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5020) for the relief of A. J. Nalls—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5021) for the relief of A. L. Lewis—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5022) for the relief of T. L. Weedon—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5023) for the relief of Thomas Fletcher—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5024) for the relief of R. B. Warren—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5025) for the relief of Charles Dearborn—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5026) for the relief of James Sheridan—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5282) for the relief of C. L. Reid, Shap G. Wright, and others, trustees—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 5583) for the relief of Edward Lautenschlaeger—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 6585) granting a pension to George W. Graves—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6663) granting a pension to Mahala Alexander—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6951) granting an increase of pension to Charles G. Carr—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7230) granting a pension to Fannie Hay Moffitt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7848) governing deposits by Secretary of Treasury with national and State banks and requiring payment of interest on said deposits—to the Committee on Ways and Means.

By Mr. MACON: A bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON: A bill (H. R. 7850) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims presented on behalf of churches, schools, libraries, hospitals, and establishments conducted for the benefit of churches, or for charitable purposes, arising from the occupation and use of the buildings, grounds, and other property of various kinds occupied, used, taken away, injured, consumed, or destroyed by the United States or its Army during the civil war, or for its benefit in any way—to the Committee on War Claims.

By Mr. LITTLEFIELD: A bill (H. R. 7851) to provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine—to the Committee on Public Buildings and Grounds.

By Mr. JACKSON of Ohio: A bill (H. R. 7852) for the purchase of a site and the erection thereon of a public building at Tiffin, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7853) for the purchase of a site and erection of a public building at Fremont, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BARTLETT: A bill (H. R. 7854) to reappropriate and make available the appropriations for rent of temporary quarters for the Government officials at Macon, Ga., made by the acts of June 6, 1900, and March 3, 1901—to the Committee on Appropriations.

By Mr. HOUSTON: A bill (H. R. 7855) to amend an act entitled "An act making appropriations for the construction of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902—to the Committee on Rivers and Harbors.

By Mr. PUJO: A bill (H. R. 7856) for the improvement of the mouth and passes of Calcasieu River, Louisiana—to the Committee on Rivers and Harbors.

By Mr. THOMAS of North Carolina: A bill (H. R. 7857) for the improvement of Trent River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7858) for the improvement of Neuse River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7859) for the improvement of Black River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. FINLEY: A bill (H. R. 7860) providing for the erection of a monument at Cowpens battle ground, Cherokee County, S. C., commemorative of Gen. Daniel Morgan and those who participated in the battle of Cowpens, on the 17th day of January, 1781—to the Committee on the Library.

By Mr. HOPKINS: A bill (H. R. 7861) extending provisions of act of June 27, 1890, to Kentucky State Militia and Provisional Kentucky Militia—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 7862) to open to settlement 22,656 acres of land known as the Kiowa, Comanche, and Apache Indian Pasture Reserve No. 3, in Oklahoma Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 7863) to enable the Secretary of the Treasury to purchase a site for the erection of a Federal building in the city of Oklahoma, Territory of Oklahoma—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 7864) to amend an act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended by the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. BROUSSARD: A bill (H. R. 7865) making an appropriation for the improvement of commerce of certain rivers and harbors of the United States by the destruction of the plant known as the water hyacinth—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7866) making an appropriation for the improvement of the navigation and commerce of Bayou Teche, in the State of Louisiana—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7867) to provide for an additional survey of an inland water route, surveyed under act of Congress of March 3, 1873, along the margin of the Gulf of Mexico, from Donaldsonville, in Louisiana, to the Rio Grande, in Texas, by cuts and canals, as a means of military and naval defense, and for commercial purposes—to the Committee on Rivers and Harbors.

By Mr. BABCOCK: A bill (H. R. 7868) to amend chapter 55 of an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

Also, a bill (H. R. 7869) in relation to bonds on contracts with the District of Columbia—to the Committee on the District of Columbia.

By Mr. WADE: A bill (H. R. 7870) to enable the widows of soldiers and sailors to make proof of lawful widowhood by proof of public recognition of the relation of husband and wife for ten years—to the Committee on Invalid Pensions.

By Mr. GILLET of Massachusetts: A bill (H. R. 7871) to prevent interstate telegraph and telephone lines being used to promote gambling—to the Committee on the Judiciary.

By Mr. RANDELL of Louisiana: A bill (H. R. 7872) to construct Locks 3 and 8 on the Ouachita River, Louisiana and Arkansas—to the Committee on Rivers and Harbors.

By Mr. CURTIS: A bill (H. R. 7873) granting pensions to officers and enlisted men of the military and naval service of the United States, to restore pensions discontinued, to establish uniform rates of pension, to facilitate the allowance of pensions in matters of proof, and for other purposes—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 7874) for the consolidation of third and fourth class mail matter under the title of "merchandise," and for the insurance of all mail matter against loss or damage, and for the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWNLOW: A bill (H. R. 7875) to establish the tenth judicial circuit and to provide for a circuit court of appeals therein, and for other purposes—to the Committee on the Judiciary.

By Mr. GILLET of Massachusetts (by request): A bill (H. R. 7876) for the improvement of the civil service of the United States—to the Committee on Reform in the Civil Service.

By Mr. GOLDFOGLE: A bill (H. R. 7877) to amend section 839 of the Revised Statutes, relating to United States district and circuit courts—to the Committee on the Judiciary.

By Mr. JENKINS: A bill (H. R. 8128) extending the provisions of the act of July 1, 1902, for the further distribution of Reports of the Supreme Court, and for other purposes—to the Committee on the Judiciary.

By Mr. VREELAND: A bill (H. R. 8129) authorizing the appointment of a nonpartisan commission to inquire into the past and present condition of the American merchant marine, especially into its relation to promotion of the commerce and increase of the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. NEVIN: A bill (H. R. 8130) to establish Dayton, in the State of Ohio, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the port of Dayton, in the State of Ohio—to the Committee on Ways and Means.

By Mr. BURNETT (by request): A bill (H. R. 8131) authorizing and empowering the Secretary of the Treasury to issue Treasury notes to be used in the purchase of bonds of the several States, and counties and parishes thereof, for the purpose of improving the public roads of such States, counties, and parishes, and to provide for the purchase of such bonds—to the Committee on Agriculture.

By Mr. NEVIN: A bill (H. R. 8132) to increase to \$30 per month certain persons pensioned under the act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A joint resolution (H. J. Res. 71) amending section 1 of an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. SULZER: A concurrent resolution (H. C. Res. 22) providing for a joint committee to investigate international navigation, etc.—to the Committee on Rules.

By Mr. SPARKMAN: A concurrent resolution (H. C. Res. 23) to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, etc.—to the Committee on Rivers and Harbors.

By Mr. WILEY of New Jersey: A concurrent resolution (H. C. Res. 24) providing for a survey for a ship canal in the city of Newark, N. J., etc.—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: A resolution (H. Res. 98) providing for a clerk for the Committee on the Census—to the Committee on Accounts.

By Mr. RICHARDSON of Tennessee: A resolution (H. Res. 99) employing Joseph L. Percy as a special employee of the House of Representatives—to the Committee on Accounts.

By Mr. HILDEBRANT: A resolution (H. Res. 100) providing for an additional official reporter of debates of the House—to the Committee on Accounts.

Also, a resolution (H. Res. 101) authorizing the Speaker to appoint an assistant stenographer to committee—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 7878) granting a pension to Richard Jones—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 7879) for the relief of Mrs. Ann E. Sanders, of Tuscaloosa, Ala.—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 7880) to correct the military record of Walter Brown—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 7881) for the relief of Frank J. Ladner—to the Committee on the Public Lands.

Also, a bill (H. R. 7882) for the relief of June Poitevent, administrator of the estate of William J. Poitevent, deceased—to the Committee on War Claims.

By Mr. BROUSSARD: A bill (H. R. 7883) for the relief of the heirs of Henry Ware—to the Committee on Claims.

Also, a bill (H. R. 7884) for the relief of the estate of Pierre Jolivet—to the Committee on War Claims.

Also, a bill (H. R. 7885) for the relief of Charlotte Fontenette—to the Committee on War Claims.

Also, a bill (H. R. 7886) for the relief of Natalie Boudreaux—to the Committee on War Claims.

Also, a bill (H. R. 7887) for the relief of the estate of Louis C. De Blanc—to the Committee on War Claims.

Also, a bill (H. R. 7888) for the relief of the estate of Joseph Ursin Broussard—to the Committee on War Claims.

Also, a bill (H. R. 7889) for the relief of the estate of Dr. Joseph Richard Martin—to the Committee on War Claims.

Also, a bill (H. R. 7890) for the relief of Augustin Campo, administrator—to the Committee on Claims.

Also, a bill (H. R. 7891) for the relief of Marie Vives—to the Committee on War Claims.

Also, a bill (H. R. 7892) for the relief of the estate of J. Aucoin—to the Committee on War Claims.

Also, a bill (H. R. 7893) for the relief of Mrs. E. H. Briant—to the Committee on War Claims.

Also, a bill (H. R. 7894) for the relief of the estate of Raphael Segura—to the Committee on War Claims.

Also, a bill (H. R. 7895) for the relief of the estate of William Burgess—to the Committee on War Claims.

Also, a bill (H. R. 7896) for the relief of Thomas C. Gibbons—to the Committee on War Claims.

Also, a bill (H. R. 7897) for the relief of Kate Gibbons—to the Committee on War Claims.

Also, a bill (H. R. 7898) for the relief of E. H. Flory—to the Committee on War Claims.

Also, a bill (H. R. 7899) for the relief of Leodele Le Blanc—to the Committee on War Claims.

Also, a bill (H. R. 7900) for the relief of Prosper Lopez—to the Committee on War Claims.

Also, a bill (H. R. 7901) for the relief of T. B. Ulger Bourque—to the Committee on War Claims.

Also, a bill (H. R. 7902) for the relief of Jules J. Boudreaux—to the Committee on War Claims.

Also, a bill (H. R. 7903) for the relief of the estate of Dornville Fabre—to the Committee on War Claims.

Also, a bill (H. R. 7904) for the relief of Leo P. Dupuis, administrator—to the Committee on War Claims.

Also, a bill (H. R. 7905) for the relief of the legal representatives of Nathaniel and William Offut, late of the parish of St. Martin, La.—to the Committee on War Claims.

Also, a bill (H. R. 7906) for the relief of the estate of François Feray—to the Committee on War Claims.

Also, a bill (H. R. 7907) for the relief of Eli C. Brown, of East Baton Rouge Parish, La.—to Committee on War Claims.

Also, a bill (H. R. 7908) for the relief of the estate of François Herpin—to the Committee on War Claims.

Also, a bill (H. R. 7909) for the relief of the estate of Prosper D. Olivier—to the Committee on War Claims.

Also, a bill (H. R. 7910) for the relief of Joseph D. Broussard—to the Committee on War Claims.

Also, a bill (H. R. 7911) for the relief of the successions of Apoline Fournier, deceased, late of Iberia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7912) for the relief of Felicite Monette, of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7913) for the relief of the estate of Pierre Z. Doucet, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7914) for the relief of the estate of Valerie Breaux, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7915) for the relief of Mrs. Raymond Riu, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7916) for the relief of the estate of Mrs. Celestine Vavasseur, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7917) for the relief of George Henderson, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7918) for the relief of the estate of John A. Rignes, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7919) for the relief of P. Emile Arceneaux, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7920) for the relief of the estate of Camille Berard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7921) for the relief of Mrs. Marguerite Arnaud, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7922) for the relief of the estate of Owen Conlen—to the Committee on War Claims.

Also, a bill (H. R. 7923) for the relief of Arvillen Broussard, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7924) for the relief of Lessin Guidry—to the Committee on War Claims.

Also, a bill (H. R. 7925) for the relief of William Rose—to the Committee on War Claims.

Also, a bill (H. R. 7926) for the relief of Celestine Pecot—to the Committee on War Claims.

Also, a bill (H. R. 7927) for the relief of the estate of Francis E. Harding—to the Committee on War Claims.

Also, a bill (H. R. 7928) for the relief of Mrs. Sidonie de la Houssaye—to the Committee on War Claims.

Also, a bill (H. R. 7929) for the relief of Mrs. Victor Fabre—to the Committee on War Claims.

Also, a bill (H. R. 7930) for the relief of Mrs. Frank Deslonds—to the Committee on War Claims.

Also, a bill (H. R. 7931) for the relief of Mrs. Celina Landry—to the Committee on War Claims.

Also, a bill (H. R. 7932) for the relief of Mary H. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 7933) for the relief of the estate of Jean Crouchet, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7934) for the relief of the estate of F. O. Darby—to the Committee on War Claims.

Also, a bill (H. R. 7935) for relief of estate of Romain Verdin—to the Committee on War Claims.

Also, a bill (H. R. 7936) for the relief of the estate of Henry E. Ledet—to the Committee on War Claims.

Also, a bill (H. R. 7937) for the relief of Samuel Carey—to the Committee on War Claims.

Also, a bill (H. R. 7938) for the relief of Pierre Breaux—to the Committee on War Claims.

Also, a bill (H. R. 7939) for the relief of the estate of Joseph Boudreau, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7940) for the relief of Eugene Augustin Bourcy, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7941) for the relief of the estate of Charles Armelin, deceased, late of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7942) for the relief of Mrs. Joseph Kittredge—to the Committee on War Claims.

Also, a bill (H. R. 7943) for the relief of Marian Simoneaux—to the Committee on War Claims.

Also, a bill (H. R. 7944) for the relief of Arthur Taylor, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7945) for the relief of Clerville Richard, of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7946) for the relief of the estate of Joseph Devezin Olivier, deceased, and Celeste Olivier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7947) for the relief of the estate of George Mitchelltree, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7948) for the relief of the estate of Joseph Melançon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7949) for the relief of Valerien Martin, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7950) for the relief of Bennett Lilly, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7951) for the relief of the estate of Desire Le Blanc, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7952) for the relief of the estate of Onezime Leleux, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7953) for the relief of Augustin Lastrappes, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7954) for the relief of the estate of Joseph Knight, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7955) for the relief of Louis Journey, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7956) for the relief of William Guchereau, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7957) for the relief of Mrs. Catherine Hilbert, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7958) for the relief of Mary M. Hopkins, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7959) for the relief of Louis Hymelle, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7960) for the relief of Mrs. Irene Granger, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7961) for the relief of Corrinne Perrett Fusilier—to the Committee on War Claims.

Also, a bill (H. R. 7962) for the relief of the estate of John H. Ellis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7963) for the relief of Toussaint Ecby, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7964) for the relief of Zachine Dugat, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7965) for the relief of Onesiphor Delahousaye, sr., of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7966) for the relief of estate of Jean Constantin, deceased, late of Lafayette, La.—to the Committee on War Claims.

Also, a bill (H. R. 7967) for the relief of Belisaire Cormier, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7968) for the relief of the estate of Charles Clerc, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7969) for the relief of the estate of J. M. Charpentier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7970) for the relief of Samuel Cary, of St. Marys Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7971) for the relief of Susan L. Bailey, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7972) for the relief of the estate of Louis Broussard, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7973) for the relief of Edgar Breaux, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7974) for the relief of Charles Broder, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7975) for the relief of Anguste Alvarado, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7976) for the relief of the estate of Louisa Breaux, deceased, late of Lafayette, La.—to the Committee on War Claims.

By Mr. BUCKMAN: A bill (H. R. 7977) for the relief of Nelson Dalbec—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 7978) for the relief of the heirs of John Edwards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7979) granting a pension to William Hurst—to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 7980) granting an increase of pension to Francis E. Wood—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 7981) for the relief of Benjamin Day—to the Committee on Military Affairs.

Also, a bill (H. R. 7982) for the relief of William Blundell, alias David Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 7983) for the relief of J. W. Garrison—to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 7984) granting an increase of pension to Joseph P. Sailer—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 7985) granting a pension to Alice Jenifer—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 7986) granting an increase of pension to Stephen Bricker—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 7987) granting an increase of pension to Francis Scott—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 7988) to provide for the refunding of certain money, and so forth—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 7989) granting an honorable discharge to Benjamin F. Helmick—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 7990) for the relief of the estate of W. A. D. Roberts—to the Committee on War Claims.

By Mr. DICKERMAN: A bill (H. R. 7991) granting a pension to Sabina O'Donnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7992) granting a pension to Isadore F. Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7993) granting a pension to William Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7994) granting a pension to Thomas McCann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7995) granting a pension to Jacob Miller—to the Committee on Pensions.

Also, a bill (H. R. 7996) to remove the charge of desertion from the military record of Sebastian Delsite—to the Committee on Military Affairs.

Also, a bill (H. R. 7997) to correct the military record of Milton McPherson—to the Committee on Military Affairs.

Also, a bill (H. R. 7998) to correct the military record of Francis Treas—to the Committee on Military Affairs.

By Mr. DRESSER: A bill (H. R. 7999) granting an increase of pension to David W. Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8000) granting an increase of pension to Martin Funk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8001) granting a pension to Timothy Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8002) granting a pension to Ida A. Douglass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8003) granting an increase of pension to William H. Bartholomew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8004) to correct the military record of Edward A. Smith—to the Committee on Military Affairs.

By Mr. FINLEY: A bill (H. R. 8005) granting an increase of pension to Nannie J. McGurkin—to the Committee on Pensions.

Also, a bill (H. R. 8006) for the relief of David H. Cork—to the Committee on War Claims.

Also, a bill (H. R. 8007) for the relief of Mount Zion Society—to the Committee on War Claims.

Also, a bill (H. R. 8008) for relief of estate of John G. Brice—to the Committee on War Claims.

Also, a bill (H. R. 8009) for the relief of Edward P. M. Robinson—to the Committee on War Claims.

By Mr. GARBER: A bill (H. R. 8010) granting a pension to Josiah B. Deeter—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 8011) to correct the military record of Cyrus Dean—to the Committee on Military Affairs.

By Mr. GILLET of Massachusetts: A bill (H. R. 8012) granting a pension to William H. Chamberlain—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 8013) granting an increase of pension to Isaac N. Skillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8014) granting an increase of pension to Thomas Andos—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 8015) granting an increase of pension to Charles McAllister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8016) granting a pension to Moses F. Reece—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 8017) for the relief of the estate of Jacob Good, deceased—to the Committee on War Claims.

By Mr. HILL of Mississippi: A bill (H. R. 8018) granting a pension to Leonard S. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting a pension to Jonathan F. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8020) granting an increase of pension to Thomas B. Franks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8021) for relief of estate of John Dear, deceased, of Attala County, Miss.—to the Committee on War Claims.

By Mr. HOPKINS: A bill (H. R. 8022) granting an increase of pension to Hiram Flint—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8023) granting an increase of pension to Solomon May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8024) granting an increase of pension to William W. Ferguson—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 8025) granting a pension to James Payton—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 8026) for the relief of the estate of the late John Jacoby—to the Committee on the District of Columbia.

By Mr. HUGHES of West Virginia: A bill (H. R. 8027) to remove charge of desertion from records of War Department of Jefferson Mullins—to the Committee on Military Affairs.

Also, a bill (H. R. 8028) to remove the charge of desertion from the record of John W. Shelton—to the Committee on Military Affairs.

Also, a bill (H. R. 8029) for the relief of Leroy Douglass—to the Committee on Claims.

Also, a bill (H. R. 8030) for the relief of William H. Jones—to the Committee on War Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 8031) granting an increase of pension to David Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8032) granting an increase of pension to Martin B. Doty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8033) granting an increase of pension to Christopher Terflinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8034) granting a pension to Catherine Spier—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 8035) for the relief of M. A. McCafferty, of O'Neill, Nebr.—to the Committee on Military Affairs.

By Mr. FREDERICK LANDIS: A bill (H. R. 8036) granting an increase of pension to Charles S. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8037) granting an increase of pension to Matthias Friend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8038) granting a pension to Rebecca Farrar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8039) granting a pension to Simon Burris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8040) granting a pension to Alexander Little—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 8041) for relief of Adolphus Yuncker—to the Committee on Military Affairs.

Also, a bill (H. R. 8042) granting an increase of pension to James H. T. Hummer—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 8043) granting an increase of pension to John S. Sears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8044) granting an increase of pension to Seymour F. Burlingame—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8045) granting a pension to Edward T. Blodgett—to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 8046) for the relief of the trustees of the German Lutheran Church of Orangeburg, S. C.—to the Committee on War Claims.

By Mr. LIVINGSTON: A bill (H. R. 8047) granting a pension to William Henry McMurtry—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 8048) to authorize Malcolm S. Potter to raise and remove certain sunken vessels, boats, floats, or other structures from Lake Champlain—to the Committee on Interstate and Foreign Commerce.

By Mr. MACON: A bill (H. R. 8049) granting an increase of pension to John S. Parker—to the Committee on Invalid Pensions.

By Mr. MCGUIRE: A bill (H. R. 8050) granting an increase of pension to John I. Lose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8051) granting an increase of pension to Daniel Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8052) granting a pension to F. E. Hills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8053) to remove the charge of desertion from the military record of James Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 8054) to remove the charge of desertion from the military record of Cyrus McCue—to the Committee on Military Affairs.

Also, a bill (H. R. 8055) to remove the charge of desertion from the military record of John Friedlan—to the Committee on Military Affairs.

Also, a bill (H. R. 8056) to amend the military record of Alfred F. Washburn, deceased, and granting a pension to Sarah E. Washburn—to the Committee on Military Affairs.

Also, a bill (H. R. 8057) to reimburse Ulysses G. Winn for moneys erroneously paid into the Treasury of the United States—to the Committee on Claims.

By Mr. MINOR: A bill (H. R. 8058) granting an increase of pension to William M. Underhill—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 8059) granting a pension to Hannah Tomlinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8060) granting a pension to Emma C. Matlack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8061) granting an increase of pension to Levi Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8062) granting a pension to Mrs. William H. H. Porter—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 8063) granting an increase of pension to Cyrus Stanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8064) granting an increase of pension to Hanniel P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8065) granting an increase of pension to David Edmiston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8066) granting a pension to Martin Seiler—to the Committee on Pensions.

Also, a bill (H. R. 8067) granting a pension to Ruth E. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8068) granting a pension to Sarah M. Nettleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8069) granting an increase of pension to R. F. Nugent—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 8070) for the relief of Dilly Williams, of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8071) for the relief of Matthew Williams, of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8072) for the relief of the estate of Wiley B. Brigrance, deceased, late of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8073) for the relief of James N. Richards, of Crockett County, Tenn.—to the Committee on War Claims.

By Mr. PORTER: A bill (H. R. 8074) granting an increase of pension to William H. H. Chester—to the Committee on Invalid Pensions.

By Mr. RANDELL of Louisiana: A bill (H. R. 8075) for the relief of Mrs. Kate T. McCulloch, the estate of Mrs. Mary Tucker McFarland, deceased, and the estate of Nathan Trotter, deceased—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 8076) for the relief of the legal representatives of Hon. O. M. Roberts, David G. Burnett, and the four Representatives elected to Congress from the State of Texas in 1866—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 8077) granting an increase of pension to John McFarlane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8078) granting an increase of pension to Henry J. Mosier—to the Committee on Invalid Pensions.

By Mr. SHOBER: A bill (H. R. 8079) granting an increase of pension to Charles H. La Forest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8080) granting an increase of pension to Alexander Wilson—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 8081) to correct the military record of Patrick O'Conner—to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (H. R. 8082) granting a pension to Caroline S. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8083) granting a pension to Mary Ellen Clark—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 8084) for the relief of the legal representatives of James H. Napier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8085) for the relief of the legal representatives of George W. Wray, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8086) for the relief of W. T. Newbill—to the Committee on War Claims.

Also, a bill (H. R. 8087) for the relief of Houston Medlin—to the Committee on War Claims.

Also, a bill (H. R. 8088) for the relief of S. S. Littlejohn—to the Committee on War Claims.

Also, a bill (H. R. 8089) for the relief of the legal representatives of A. K. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8090) for the relief of the legal representatives of Jack Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8091) for the relief of the legal representatives of Richard Odle, deceased—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8092) granting a pension to Rose Anna Griffith—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 8093) granting an increase of pension to Samuel L. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8094) to correct the military record of Henry Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 8095) authorizing the President to appoint Louis Knapp captain and paymaster, United States Army—to the Committee on Military Affairs.

By Mr. SMITH of Pennsylvania: A bill (H. R. 8096) granting an increase of pension to William W. Nesbit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8097) granting an increase of pension to George W. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8098) granting an increase of pension to William C. Gordon—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 8099) granting an increase of pension to Stephen L. Richardson—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 8100) to increase pension of Margaret Pember—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8101) granting an increase of pension to William Percival—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8102) granting an increase of pension to Allen S. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8103) granting an increase of pension to Mary Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8104) granting an increase of pension to Josephine D. Williston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8105) granting an increase of pension to John McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8106) granting an increase of pension to Daniel J. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8107) granting a pension to Ruel Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8108) to pension Elizebeth Murcer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8109) to pension Thomas Hart, alias Thomas Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8110) granting a pension to Jennie R. Hunt—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 8111) granting an increase of pension to Marie J. Smyth—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 8112) granting a pension to W. F. Bottoms—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 8113) for the relief of Agnes W. Hills and Sarah J. Hills—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 8114) granting an increase of pension to Orville W. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8115) granting an increase of pension to Anna E. Worden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8116) granting a pension to Jane Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8117) providing for the payment of \$137 to Hugh A. Ernst for services rendered overtime and use of typewriter in the Bureau of Immigration, in the Treasury Department—to the Committee on Claims.

By Mr. TRIMBLE: A bill (H. R. 8118) to carry out the findings of the Court of Claims in the case of James H. Dennis—to the Committee on Claims.

By Mr. WARNOCK: A bill (H. R. 8119) granting an increase of pension to A. P. Weaver—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 8120) granting an increase of pension to Delzon Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8121) granting an increase of pension to J. M. Ellis—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 8122) granting a pension to Adonijah Richards—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 8123) granting a pension to Eliza Stoddard Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8124) granting a pension to Elizebeth Hatfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8125) granting an increase of pension to Samuel Rollins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8126) granting a pension to Annie Colt McCook—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 8127) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River, and letter from the Travelers' Protective Association of America, relating to the improvement of the harbor of Philadelphia—to the Committee on Rivers and Harbors.

Also, petition of the National Veteran Women of America, of Toledo, Ohio, relating to a national home—to the Committee on Military Affairs.

By Mr. BOWERS: Petition of descendants of Mississippi Choctaws, relative to the allotment of land and money—to the Committee on Indian Affairs.

By Mr. BRICK: Petition of members of Charles W. Howell Post, No. 90, Department of Indiana, Grand Army of the Republic, for further extension of the pension laws—to the Committee on Invalid Pensions.

By Mr. CANNON: Petition of the Sheldon, Ill., business men, protesting against the passage of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the German-American Union, of Birmingham, Ala., and 43 similar organizations in the United States, protesting against legislation to subject original packages to the operation of State sumptuary laws—to the Committee on the Judiciary.

By Mr. CROMER: Petition of Major May Post, No. 244, Grand Army of the Republic, Department of Indiana, favoring passage of the Hemenway bill for service pensions, and of the John Murry Post, No. 124, Grand Army of the Republic, Department of Indiana, and of soldiers and sailors of the civil war, of Bluffton, Ind., favoring passage of the National Tribune service-pension bill—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: Petition of W. B. Fleming Post, No. 316, Grand Army of the Republic, of West Lebanon, Department

of Indiana, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DALZELL: Paper to accompany bill for the relief of the Phoenix Brewing Company, of Pittsburg, and Ober Brothers Brewing Company, of Allegheny, Pa.—to the Committee on Claims.

By Mr. DRAPER: Resolution of A. M. Cook Post, No. 326, Grand Army of the Republic, of Greenwich, Department of New York, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Convention, favoring enlargement of powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of San Miguel Improvement Club, favoring Nacimiento ranch as a military camp—to the Committee on Military Affairs.

Also, paper to accompany bill granting increase of pension to Ira Bacon—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: Petition of citizens of Grand Ledge, Mich., to accompany bill to correct the military record of Cyrus Dean—to the Committee on Military Affairs.

By Mr. GROSVENOR: Papers to accompany bill for the relief of James P. Barney—to the Committee on Claims.

Also, resolutions of the Chamber of Commerce and other organizations of Cincinnati, Ohio, protesting against passage of Senate bill 1655, creating a new Federal district court in Ohio—to the Committee on the Judiciary.

By Mr. GUDGER: Paper to accompany bill to pension Moses F. Reese—to the Committee on Invalid Pensions.

By Mr. HINSHAW: Paper to accompany bill H. R. 1482, granting an increase of pension to George C. Vance—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Paper to accompany bill granting an increase of pension to James Payton—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Resolution of the board of supervisors of Columbia County, N. Y., favoring the passage of the Brownlow bill relating to the improvement of the highways—to the Committee on Agriculture.

By Mr. MCANDREWS: Paper to accompany bill H. R. 6932, to pension Harvey R. King—to the Committee on Invalid Pensions.

By Mr. MACON: Paper to accompany bill increasing pension of John S. Parker—to the Committee on Invalid Pensions.

By Mr. MARSH: Petition of residents of Keithsburg and vicinity, Illinois, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. MORRELL: Petition of the president of the Society of the United States Military Telegraph Corps, requesting recognition for the telegraph operators of the civil war—to the Committee on Military Affairs.

By Mr. MURDOCK: Resolution of a mass meeting of citizens of Wichita, Kans., favoring the enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Woodson Post, No. 185, Grand Army of the Republic, Yates Center, Department of Kansas, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, letter from H. C. Taylor, of Lyons, Kans., protesting against certain features of Senate bill 1261; letter from A. Graff, Wellington, Kans., and resolutions of the executive committee of the Southwestern Lumbermen's Association—to the Committee on the Post-Office and Post-Roads.

By Mr. OTJEN: Resolution of the Glass Bottle Blowers' Association, Branch 15, of Milwaukee, Wis., favoring passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. PADGETT: Paper to accompany bill H. R. 1098, for the relief of J. J. Walker—to the Committee on War Claims.

By Mr. PORTER: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. ROBB: Petition of citizens of Puxico, Mo., against sale of liquors in Soldiers' Homes and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Petition of Dames of 1846, of Fort Worth, Tex., praying for increase of pension to veterans of the Mexican war—to the Committee on Pensions.

By Mr. SIMS: Petition of the heirs of John Arnold, deceased, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: Papers to accompany bill granting a pension to Rose Anna Griffith—to the Committee on Invalid Pensions.

Also, resolutions of Grand Rapids Board of Trade, requesting enlargement of powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Grand Rapids Board of Trade, regarding rehabilitation of the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Ionia County, Mich., requesting the passage of the McCumber bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPARKMAN: Resolution of the Chamber of Commerce of Pensacola, Fla., urging the revival of American shipping in foreign trade—to the Committee on the Merchant Marine and Fisheries.

By Mr. SPERRY: Paper to accompany bill H. R. 7815, for the relief of Robert May et al.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of the Dames of 1846, of Fort Worth, Tex., favoring passage of law granting increase of all Mexican-war veterans to \$30 per month—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, December 17, 1903.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

KIRBY THOMAS.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, relative to the claim of Kirby Thomas, postmaster at Superior, Wis., and recommending that he be reimbursed for the loss sustained by him from the burglary of his office on October 20, 1903; which was referred to the Committee on Post-Offices and Post-Roads.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a report of the chief of the supply division, War Department, stating the proceeds derived from the sale of useless papers, etc.; which, with the accompanying paper, was referred to the Select Committee on Disposition of Useless Papers in the Executive Departments.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the causes of Clementine Vaughn, administratrix of William Vaughn, deceased; Francis E. Mack, son of Eugene Mack, deceased; Nannie H. Duvall, daughter of John Watters, deceased; William I. More; John F. Merry; William Wilkins Carr, administrator of the estate of Overton Carr, deceased; Sophia A. Wight, widow of Danforth P. Wight, deceased; Susan I. Bordman, widow of Charles Bordman, deceased; Fidelia S. Prindle, widow (remarried) of George L. Mead, deceased; Annie H. Eastman, widow of Thomas H. Eastman, deceased; William F. Low; George L. Hall, executor of Elbridge D. Hall, deceased; Grace T. Arms, executrix; T. Bascom Watkins; Hamilton Hutchins; Charles Miller; Arthur Burtis; J. M. Emanuel; Henry R. Baker; Robert M. Doyle; George P. Lumsden; Charles A. Schmitz; Byron Wilson; Cornelius Dugan; George M. Book; J. M. Bowyer; George A. Norris; Clifford J. Boush; Elizabeth D. Marthon, executrix of Joseph Marthon, deceased; William H. Rush; Emily J. Kenney, administratrix of Edward Kenney, deceased; Henry T. Percy; Robert Potts; George R. Durand; N. E. Mason; Frank C. Cosby; William F. Hodgkinson; E. Whitfield, brother of William E. Whitfield, deceased; Kate R. Morgan, widow of William A. Morgan; James D. Adams; William A. Cooper; Linnaeus Fussell; Peter O'Conner; Mary Lowrie, heir and legatee of John Lowrie; Marie Elizabeth Horner, widow of Frederick Horner, deceased; Marion L. Thompson, widow of August F. Thompson, deceased; Charles W. Abbott, administrator de bonis non of Joel Abbott, deceased; Arthur B. Hoff, administrator of Henry K. Hoff, deceased; Nannie Glover Kaufman, widow (remarried) of William K. Mayo, deceased; John J. Read; Hannah Cooper, widow of James M. Cooper, deceased; Emma L. Barry, widow of James J. Barry; Adele W. Elmer, widow of Horace Elmer; Evaline V. Ferguson, widow of William J. Ferguson, deceased; the Real Estate Title Insurance and Trust Company of Philadelphia, administrator of the estate of Charles Miller, deceased; Sarah A. Wyckoff,